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*** CITY OF ALAMEDA, CALIFORNIA 94501 ***

ZONING DISTRICTS and REGULATIONS,
being Title XI, Chapter 1
of the
ALAMEDA MUNICIPAL CODE
of the
CITY OF ALAMEDA, CALIFORNIA

As adopted by
Ordinance No. 1277, N.S.,
enacted August 1, 1958

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ALAMEDA CITY ORDINANCES

ORDINANCE NO. 1277

New Series


AN ORDINANCE PROVIDING FOR THE ESTABLISHING OF PROTECTIVE REGULATIONS OF USES OF LAND, THE LOCATIONS AND USES OF BUILDINGS, THE HEIGHT AND BULK OF BUILDINGS, THE OPEN SPACES ABOUT BUILDINGS AND THE DIMENSIONS AND AREAS OF BUILDING SITES WITHIN CERTAIN DISTRICTS, ESTABLISHING BUILDING SETBACK LINES AND POPULATION DENSITY STANDARDS: PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH REGULATIONS, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF: AND REPEALING ALL SECTIONS IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALAMEDA as follows:

Section 1. The Alameda Municipal Code is hereby amended by repealing Chapter 1 of Title XI thereof and inserting in its place and stead the following Chapter 1 of Title XI, which shall read as follows:

CHAPTER 1. ZONING DISTRICT AND REGULATIONS

- Article 1. Purpose, Designation and Establishment of Districts.
- Article 2. Definitions.
- Article 3. District Uses and Regulations.
- Article 4-A. General Provisions and Exceptions.
- Article 4-B. Sign Regulations.
- Article 4-C. Off-Street Parking and Loading Space Regulations.
- Article 5. Non-Conforming Buildings and Uses.
- Article 6. Variances, Use Permits: Procedure.
- Article 7. Amendments and Procedures.
- Article 8. Certificate of Occupancy.
- Article 9. Duties of Officials, Enforcement and Penalties.



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ARTICLE 1. PURPOSE, DESIGNATION AND ESTABLISHMENT OF DISTRICTS

- 11-111. Adoption of Zoning Plan. There is hereby adopted a zoning plan which is the zoning law of the City of Alameda, State of California.
- 11-112. Purpose of Adoption of Zoning Plan. Said Zoning Plan is adopted to provide for the promotion and protection of the public health, safety, peace, morals, comfort, convenience, and general welfare, and;
- (a) To assist in providing a definite plan of development for the City, and to guide, control and regulate the future growth of the City in accordance with the Outline Master Plan and the objectives set forth therein,
 - (b) To protect and elevate the character and the social and economic stability of residential, commercial, industrial, recreational, and other areas within the City, and to assure the orderly and beneficial development of such areas.
- 11-113. Effect of Zoning Plan.
- (a) The zoning plan consists of the establishment of various districts within the City within some, all, or none of which it shall be lawful, and within some, all or none of which it shall be unlawful to erect, construct, alter, move, locate or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land or of buildings; within which the height and bulk of future buildings shall be limited; within which certain open spaces shall be required about future buildings and consisting further of appropriate regulations to be enforced in such districts, all as set forth in this Chapter.
 - (b) The zoning plan shall apply to private, public, quasi-public, institutional, and public utility properties and all other lands and structures within the incorporated area of the City of Alameda.
- 11-114. Designation of Districts. The several classes of General Districts hereby provided, and into which the City may be divided, are designated as follows:

<u>Map Symbol</u>	<u>District Designation</u>
R-1	One-Family Residence District
R-2	Two-Family Residence District
R-3	Restricted Apartment District
R-4	Neighborhood Apartment District
R-5	General Apartment District
R-6	Hotel-Apartment District
A-P	Administrative-Professional District
C-1	Neighborhood Business District
C-2	Central Business District
C-M	Commercial-Manufacturing District
M-1	Intermediate Industrial (Manufacturing) District
M-2	General Industrial (Manufacturing) District
O	Open Space District
	(Amended by Ord. Nos. 1356 & 1601, N.S.)

- 11-115. Combining Districts. In addition to the foregoing classes of Districts, certain Combining Districts may be established and are designated as follows:

<u>Map Symbol</u>	<u>District Designation</u>
PD	Special Planned Development District
A	Special Agricultural District
B	Special Building Site District
G	Special Government District
H	Special Height Limit District
Y	Special Yard District

- 11-116. Establishment of Districts.

- (a) The boundaries of districts shall be shown upon the Zoning Maps of the City. Said maps, and all amendments, changes, and extensions thereof, and all legends, symbols, notations, references, and other matter shown thereon shall be parts of this Chapter and shall constitute the various subsections of Subsection (b) hereof.
- (b) The Zoning Map(s) of the City of Alameda shall be that certain map(s) entitled "Zoning Map of the City of Alameda" dated April 8, 1958, and marked "Filed in the office of the City Clerk June 10, 1958."
- (c) The boundaries of such districts as are shown upon the Zoning Map(s) or amendments thereto, are hereby adopted and the specific regulations applicable therein, as set forth herein are hereby established and declared to be in effect upon all lands included within the boundaries of each and every district as shown upon said Zoning Map(s).
- (d) No land shall be used, and no building or structure shall be erected, constructed, enlarged, altered, moved, occupied or used in any district, as shown upon the Zoning Map(s), except in accordance with the regulations established by this Chapter.
- (e) All lands now or hereafter included within the incorporated territory of the City which are not included within any district on the Zoning Map(s) shall constitute R-1 districts.

ARTICLE II. DEFINITIONS

- 11-121. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure", and the word "shall" is mandatory and not directory. The term "City Council" shall mean the City Council of the City of Alameda and "Planning Board" shall mean the City Planning Board of the City of Alameda. The word "City" shall mean the incorporated area of the City of Alameda. The term "Building Official" shall mean the City Engineer or his authorized representative. The term "Zoning Administrator" shall mean the Planning Director, or such person as he may, with the prior approval of the Planning Board, designate, who shall administer and interpret the provisions of the Zoning Ordinance and perform other duties as prescribed herein. Other terms not specifically mentioned hereabove shall have the meanings ascribed to them by the Charter and this Code. (As amended by Ordinance No. 1635, N.S., effective December 4, 1970.)
- 11-122. "Accessory Building": A detached subordinate building, the use of which is incidental to that of the main building on the same lot, or to the use of the land.
- 11-123. "Accessory Use": A use of a building which is incidental or subordinate to the principal use or building located upon the same lot.
- 11-124. "Agency": An office or commercial establishment in which goods, material or equipment are received for servicing, treatment or processing elsewhere.
- 11-125. "Alley": A public or permanent private way or lane less than forty (40) feet in width which affords a secondary means of access to abutting property.
- 11-126. "Apartment Hotel": An apartment house in which not over forty per cent (40%) of the dwelling units (suites) may be used for transient occupancy, and in which accessory business uses may be located.
- 11-126.1. "Apartment House": Any building or portion thereof which is designed and built for occupancy by three (3) or more families.
- 11-127. "Basement": A space partly or wholly underground and having more than one-half ($\frac{1}{2}$) its height measured from its floor to its finished ceiling below the average adjoining grade. If the finished floor level directly above a basement is more than six (6) feet above grade at any point, such basement shall be considered a story.
- 11-128. "Boarding House": A residential building, or portion thereof other than a hotel, where regular meals and lodging for four (4) or more persons are provided for compensation or profit. This definition includes fraternity, sorority and cooperative boarding houses.
- 11-129. "Building Coverage": The percentage of the lot area which may be covered by main building, including all projections except eaves, sills, cornices.
- 11-1210. "Building Height": The vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof ridge or parapet wall.

- 11-1211. "Building Site": The land area of a lot within the required yards occupied by or capable of being covered by main buildings permissible under this Chapter.
- 11-1211.1. "Drive-in": A place of business laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their vehicles.
- 11-1212. "Dwelling, One-Family": A detached building designed and intended for occupancy by one (1) family, and containing not more than one (1) kitchen.
- 11-1213. "Dwelling Unit": A group of rooms, including a kitchen, bath and sleeping quarters, designed and intended for occupancy by one (1) family.
- 11-1214. "Dwelling Group": Two (2) or more detached one (1), two (2), or multiple family dwellings located upon a building site together with all open spaces as required by this Chapter.
- 11-1215. "Dwelling, Two-Family": A building containing two (2) kitchens, designed and/or used to house not more than two (2) families living independently of each other.
- 11-1216. "Dwelling, Multiple-Family": A building designed and/or used to house three (3) or more families, living independently of each other.
- 11-1217. "Family": One (1) person living alone; two (2) or more persons related by blood, marriage, or legal adoption; a group not exceeding five (5) persons living together as a single housekeeping unit; and in addition thereto domestic employees or servants.
- 11-1218. "Garage, Private": An accessory building or portion of a building, designed and/or used only for the shelter or storage of vehicles by the occupants of the dwelling, including covered parking spaces or carports.
- 11-1219. "Garage, Commercial": A building, other than a private garage used for the parking, repair or servicing of motor vehicles.
- 11-1220. "Garage, Parking": A public garage designed and/or used on a commercial basis for the storage of vehicles only.
- 11-1221. "Helicopter Port": Land improved and intended to be used for the landing and taking off of helicopters or vertical flying aircraft.
- 11-1222. "Home Occupation": Any use customarily carried on within a dwelling, rear or side yard areas, or accessory buildings, by the inhabitants thereof, and which use is incidental to the residential use of the dwelling and complies with the following standards:
- (a) Is confined within the dwelling, and occupies not more than fifty percent (50%) of the floor space of one floor; or, upon obtaining a Use Permit, as provided in Sec. 11-162 hereof, in the rear or side yard, or accessory buildings thereof,
 - (b) Involves no sales or storage of merchandise other than that produced on the premises, and/or directly related to and incidental to the services offered,

- (c) Is carried on by the members of the household occupying the dwelling with no other person employed,
- (d) Produces no evidence of its existence beyond the premises, such as noise, smoke, odors, vibrations, etc., except for one non-illuminated sign pertaining directly to the particular home occupation,
- (e) That the conduct of the home occupation shall not create excessive pedestrian, automobile or truck traffic in the vicinity, and that the parking of commercial vehicles incidental to the home occupation shall be permitted upon the premises only in enclosed structures.

(Amended by Ord. No. 1310, N.S.)

- 11-1223. "Hotel": Any building or portion thereof containing six (6) or more guest rooms used, or intended, or designed to be used, let or hired out to be occupied by six (6) or more paying guests.
- 11-1224. "Loading Area": A permanent usable space not less than ten (10) by forty (40) feet in size for the parking, loading and unloading of trucks or other commercial vehicles.
- 11-1225. "Lodging House": A residential building, or portion thereof, other than a hotel where sleeping quarters for four (4) or more persons or families are provided for compensation or profit. This definition includes "Rooming House".
- 11-1226. "Lot": A parcel of land under one ownership used, or capable of being used under the regulations of this Chapter, and including both the building site and all required yards and other open spaces as defined herein, and having a required street frontage of not less than twenty (20) feet.
- 11-1227. "Lot, Corner": A lot located at the junction of two (2) or more intersecting streets, with a boundary line thereof bordering on two (2) or more of such streets. The shortest such street frontage shall constitute the front of the lot. The front of a square corner lot shall be determined by the lot pattern of the block in which such lot is located.
- 11-1227.1. "Lot of Record": Land designated as a separate parcel on a plat, map or deed in the records of the Alameda County Recorder on or before the effective date of this Chapter.
- 11-1228. "Lot Width": The distance between side lot lines measured at the front yard building line.
- 11-1228.1. "Master Plan": The term Master Plan shall be construed to mean the comprehensive, long-range, general plan more particularly described as the "Outline Master Plan", adopted by the City Planning Board of the City of Alameda April 30, 1956, and any amendments which may be made subsequent thereto.
- 11-1229. "Motel": A group of attached or detached bedroom-and-bath units without kitchens, and with individual outside entrances, which are designed and used for transient occupancy.
- 11-1229.1. "Motor Truck Terminal": A facility which serves (including parking,

storage, servicing, repairing, overhauling, loading or unloading) at any one time, more than ten (10) truck units of four (4) axles or more (a "truck unit" being a tractor-semi-trailer regularly operated as a single unit, or a truck and trailer operated as a single unit). (Amended by Ord. No. 1295, N.S.)

- 11-1230. "Non-Conforming Building": A building or structure or portion thereof which was designed, and erected or structurally altered prior to the effective date of these regulations or any subsequent amendments thereto, for a use which does not conform to the use regulations of the district in which it is located.
- 11-1231. "Non-Conforming Use": A use which occupies a building or open land, and which does not comply with the use regulations of the district in which it was located prior to the effective date of these regulations, or any subsequent amendments thereto.
- 11-1232. "Outdoor Advertising": Any sign or device of any kind or character whatsoever, designed to advertise or attract attention to any product or enterprise placed for outdoor advertising purposes; on the ground, on any tree, wall, bush, rock, post, fence, building, structure, or thing whatsoever. The term "placed" as used in the definitions of "outdoor advertising" and "outdoor advertising structure" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or to make visible in any manner whatsoever.
- 11-1233. "Outdoor Advertising Structure": Any structure of any kind of character erected, maintained or used for outdoor advertising purposes, upon which any outdoor advertising is or may be placed, including also outdoor advertising statuary.
- 11-1234. "Parking Lot": An area of land which is accessible and usable for the off-street parking of motor vehicles.
- 11-1235. "Parking Space": A permanently surfaced area of not less than nine (9) feet by twenty (20) feet in size, clear of obstruction with unrestricted access to a public right of way, located in areas as specified in Sec. 11-14C7.
- 11-1236. "Rooming House": A residential building or portion thereof, other than a hotel where sleeping quarters for four (4) or more persons or families are provided for compensation or profit. This definition includes "Lodging House".
- 11-1237. "Servants Quarters": A secondary dwelling or apartment without separate kitchen facilities designed for and used only by persons or the families of persons regularly employed on the property.
- 11-1238. "Service Station": A retail business establishment supplying only gasoline and oil, and minor accessories and services for automobiles.
- 11-1239. "Setback Line": A line established by this Chapter to govern the placement of buildings with respect to streets and alleys.

- 11-1240. "Story": That portion of a building included between the upper surface of any floor and the upper surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement is more than six (6) feet above grade at any point, such basement shall be considered a story.
- 11-1241. "Street": A public or permanent private way forty (40) feet or more in width which affords a primary means of access to abutting property.
- 11-1242. "Street Frontage": The portion of a lot that abuts on a street.
- 11-1243. "Structural Alterations": Any change in the supporting members of a building, such as foundations, bearing walls, columns, beams or girders and floor joists, ceiling joists or roof rafters.
- 11-1243.5 "Variance, Major": A variance from a provision of this Chapter with respect to permitted uses, re-establishment or enlargement of a non-conforming use, number of required off-street parking spaces or loading spaces, or maximum number of dwelling units. (As added by Ordinance No. 1635, N.S., effective December 4, 1970.)
- 11-1243.6 "Variance, Minor": A variance from any provision of this Chapter other than those listed in Section 11-1243.5. (As added by Ordinance No. 1635, N.S., effective December 4, 1970.)
- 11-1244. "Yards": Land surrounding a building site unoccupied or unobstructed, except for such encroachments as may be permitted by this Chapter.
- 11-1245. "Yard, Front": A yard extending across the full width of the lot measured between the front property line (or the lot line connected to a street by legal access) and the nearest point of the wall of a building or enclosed or covered porch on such lot. The front yard of a corner lot is the yard adjacent to the shorter street frontage of such lot.
- 11-1246. "Yard, Rear": A yard extending across the full width of the lot and measured between the rear line of the lot and rear line of the main building or enclosed or covered porch nearest the rear line of the lot.
- 11-1247. "Yard, Side": A yard on either side of the lot extending from the front line of the main building or enclosed or covered porch to the rear line of the main building or enclosed or covered porch, the width of each yard being measured between the side line of the lot and the nearest part of the main building or enclosed or covered porch.

ARTICLE III. DISTRICT USES AND REGULATIONS

R-1, ONE-FAMILY RESIDENCE DISTRICT REGULATIONS

- 11-131. General. The following specific regulations, and the general rules set forth in Article 4-A, shall apply in all R-1 Districts as delineated and described in the Zoning Maps. It is intended that this district classification be applied in areas subdivided and used, or designed to be used for one-family residential development, and that the regulations established will promote and protect a proper residential character in such districts.
- 11-132. Uses Permitted.
- (a) One-family dwellings, including private garages, accessory buildings and uses; private, non-commercial swimming pools, boat landings, docks, piers and similar structures; and home occupations upon compliance with the standards as set forth in Sec. 11-1222 to the satisfaction of the Planning Director. Upon the approval of the Planning Director, a "Registration of Home Occupation" form shall be completed and filed with the Planning Department. Any property owner aggrieved by the approval or non-approval of the Planning Director shall have the right to appeal such action to the City Planning Board in the manner and within the time limits set forth in Sec. 11-192 of this Code. Nothing contained herein shall be deemed to deny the right of appeal under said Sec. 11-192 following the determination of the City Planning Board, (Amended by Ord. Nos. 1310 and 1458, N.S.)
 - (b) Agriculture, horticulture, home gardening; but excluding the retail sales of nursery products or the raising of rabbits, dogs, fowl or other animals for commercial purposes,
 - (c) Underground and above ground utility installation for local service, except that substations, generating plants, gas holders, and transmission lines must be approved by the Planning Board prior to construction,
 - (d) Public Parks, schools, playgrounds, libraries, fire stations and other public buildings and uses included in the Master Plan,
 - (e) Signs: As provided in Article 4-B of these Regulations.
- 11-133. Uses Requiring Use Permits: It is the intent in this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:
- (a) Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses not included in the Master Plan,
 - (b) Private and religious schools, nursery schools and day care centers, churches,

- (c) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period,
(Amended by Ord. No. 1458, N.S.)
- (d) Construction and installation of more than one kitchen in a one-family dwelling as defined in Sec. 11-1212 of this Chapter.

11-134. Minimum Height, Bulk and Space Requirements:

- (a) Lot Area: Five thousand (5,000) square feet,
- (b) Lot Width: Fifty (50) feet,
- (c) Maximum Main Building Coverage: Forty per cent (40%) of the lot area; provided, however, that where the garage is attached to the main building the permitted lot coverage may be increased to forty-eight per cent (48%),
- (d) Building Height Limit: Two (2) stories, but not to exceed thirty (30) feet,
- (e) Front Yard: Twenty (20) feet. In any full block frontage of lots in a new residential development the Planning Board may approve front yards which vary from fifteen (15) to thirty (30) feet, provided that the average of all front yards in the block shall not be less than twenty (20) feet, (Amended by Ord. No. 1372, N.S.)
- (f) Side Yard: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may either be less than five (5) feet or be required to be more than ten (10) feet; however, two (2) feet shall be added to each required side yard for each story above the first story of any building. This provision may be reduced by one (1) foot for every six (6) foot reduction in the maximum permitted building height at the building line which abuts the side yard so reduced; however, no side yard shall be less than the above required minimum. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 and 1533, N.S.)
- (h) Off-Street Parking Space: As provided in Article 4-C of these Regulations.

R-2, TWO-FAMILY RESIDENCE DISTRICT REGULATIONS

- 11-135. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all R-2 Districts, as delineated and described in the Zoning Maps. It is intended that this district classification be applied where two-family dwellings are or are intended to be the dominant use, as developed from density standards of the Master Plan.
- 11-136. Uses Permitted.
- (a) One-family dwellings and two-family dwellings, two (2) one-family dwellings when separated by a distance of not less than twenty (20) feet, including private garages, accessory buildings and uses; private, non-commercial swimming pools, boat landings, docks, piers and similar structures; and home occupations as regulated in Sec. 11-132(a), (Amended by Ord. Nos. 1310, 1458 and 1476, N.S.)
 - (b) Agriculture, horticulture, home gardening; but excluding the retail sales of nursery products, or the raising of rabbits, dogs, fowl or other animals for commercial purposes,
 - (c) Underground and above ground utility installations for local service, except that substations, generating plants, gas holders, and transmission lines must be approved by the Planning Board prior to construction,
 - (d) Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses included in the Master Plan,
 - (e) Signs: As regulated in Article 4-B of these regulations.
- 11-137. Uses Requiring Use Permits: It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations.
- (a) Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses not included in the Master Plan,
 - (b) Private and religious schools, nursery schools and day care centers, churches,
 - (c) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.
(Amended by Ord. No. 1458, N.S.)
- 11-138. Minimum Height, Bulk and Space Requirements:
- (a) Lot Area: Not less than five thousand (5,000) square feet in all lots recorded on and after the effective date of this Chapter, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each family dwelling unit, (Amended by Ord. No. 1476, N.S.)

- (b) Lot Width: Not less than fifty (50) feet on all lots recorded on and after the effective date of this Chapter, August 1, 1958, (Amended by Ord. No. 1476, N.S.)
- (c) Maximum Main Building Coverage: Forty-five per cent (45%) of lot area; provided, however, when the accessory garage structure is attached to the main building, the permitted lot coverage may be increased to fifty-three per cent (53%),
- (d) Building Height Limit: Two (2) stories, but not to exceed thirty (30) feet,
- (e) Front Yard: Twenty (20) feet. In any full block frontage of lots in a new residential development the Planning Board may approve front yards which vary from fifteen (15) feet to thirty (30) feet, provided that the average of all front yards in the block shall not be less than twenty (20) feet, (Amended by Ord. No. 1372, N.S.)
- (f) Side Yard: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may either be less than five (5) feet or be required to be more than ten (10) feet; however, two (2) feet shall be added to each required side yard for each story above the first story of any building. This provision may be reduced by one (1) foot for every six (6) foot reduction in the maximum permitted building height at the building line which abuts the side yard so reduced; however, no side yard shall be less than the above required minimum. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 and 1533, N.S.)
- (h) Off-Street Parking Space: As regulated in Article 4-C of these Regulations.

R-3, RESTRICTED APARTMENT DISTRICT REGULATIONS
(Amended by Ord. No. 1476, N.S.)

- 11-139. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all R-3 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas where multiple family and apartment hotel structures, and groups of such structures, may be located to preserve low density standards. (Amended by Ord. No. 1476, N.S.)
- 11-1310. Uses Permitted:
- (a) Group dwellings, multiple family dwellings, apartments, and accessory uses and structures, and uses permitted in R-1 and R-2 Districts,
 - (b) Signs: Those pertaining directly to a permitted multiple family or non-residential use on the property, and as further regulated in Article 4-B of these Regulations. (Amended by Ord. No. 1476, N.S.)
- 11-1311. Uses Requiring Use Permits: It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations.
- (a) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.
 - (b) Apartment hotels, provided that accessory business uses shall be primarily for the use of the occupants and shall be accessible from an inner lobby only. (Amended by Ord. No. 1476, N.S.)
- 11-1312. Minimum Height, Bulk and Space Requirements:
- (a) Lot Area: Not less than five thousand (5,000) square feet in all lots recorded on and after the effective date of this Chapter, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each family dwelling unit, (Amended by Ord. No. 1476, N.S.)
 - (b) Lot Width: Not less than fifty (50) feet on all lots recorded on and after the effective date of this Chapter, August 1, 1958, (Amended by Ord. No. 1476, N.S.)
 - (c) Maximum Main Building Coverage: Forty per cent (40%) of lot area,
 - (d) Building Height Limit: Two (2) stories, but not to exceed thirty-five (35) feet, (Amended by Ord. No. 1476, N.S.)
 - (e) Front Yard: Twenty (20) feet, (Amended by Ord. No. 1372, N.S.)

- (f) Side Yard: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may be less than five (5) feet. Two (2) feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of a corner lot shall be not less than ten (10) feet, (Amended by Ord. No. 1476, N.S.)
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 & 1533, N.S.)
- (h) Distances Between Main Buildings on Same Lot: Twenty (20) feet:
 - (1) Group dwellings in a single row "side-to-side" series facing a side lot line; side yards to the rear of buildings, ten (10) feet; side yards in front of buildings, twenty (20) feet; distance between buildings, ten (10) feet,
 - (2) Group dwellings in a double row "side-to-side" series facing a central court; side yards to the rear of buildings, ten (10) feet; width of central court, twenty-four (24) feet; distance between buildings, ten (10) feet,
 - (3) Group dwellings in a tandem "back-to-front" series; side yard providing access to buildings to rear of lot, twelve (12) feet; distance between buildings, thirty (30) feet,
 - (4) Group dwellings in an end to front or rear, corner to corner, or corner to front or rear arrangement, eighteen (18) feet,
 - (5) All yard requirements of this section shall be increased two (2) feet for each story above the ground story of any structure. No building in a group dwelling development shall have the rear thereof abutting upon a street,
- (i) Off-Street Parking Space: As regulated in Article 4-C of these Regulations.

R-4, NEIGHBORHOOD APARTMENT DISTRICT REGULATIONS

- 11-1313. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all R-4 Districts as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas where one-family homes, two-family homes and multiple family apartments are the proper uses, as developed from density standards of the Master Plan.
- 11-1314. Uses Permitted:
- (a) Uses as permitted in the R-1 and R-2 Districts, and multiple family apartments,
 - (b) Signs: As regulated in Article 4-B of these Regulations.
- 11-1315. Uses Requiring Use Permits: It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:
- (a) Uses as required in R-1 Districts, (Sec. 11-133)
 - (b) Storage garage buildings when constructed on a vacant lot, and for the primary use of occupants of adjacent buildings,
 - (c) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor which are incidental to the development during the construction and/or sales period.
- 11-1316. Minimum Height, Bulk and Space Requirements:
- (a) Lot Area: Not less than five thousand (5,000) square feet in all lots recorded on and after the effective date of this Chapter, August 1, 1958. However, regardless of date of recordation, there shall be not less than one thousand, five hundred (1,500) square feet of lot area for each family dwelling unit, (Amended by Ord. No. 1476, N.S.)
 - (b) Lot Width: Not less than fifty (50) feet on all lots recorded on and after the effective date of this Chapter, August 1, 1958, (Amended by Ord. No. 1476, N.S.)
 - (c) Maximum Main Building Coverage: Fifty per cent (50%) of the lot area,
 - (d) Building Height Limit: Two (2) stories, but not to exceed thirty-five (35) feet,
 - (e) Front Yard: Twenty (20) feet, (Amended by Ord. No. 1372, N.S.)

- (f) Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may either be less than five (5) feet or be required to be more than ten (10) feet. However, two (2) feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 & 1533, N.S.)
- (h) Distances Between Main Buildings on Same Lot:
 - (1) Group dwellings in a single row "side-to-side" series facing a side lot line, side yards to the rear of buildings, eight (8) feet; side yards in front of buildings, twenty (20) feet; distance between buildings, ten (10) feet,
 - (2) Group dwellings in a double row "side-to-side" series facing a central court; side yards to the rear of buildings, eight (8) feet; width of central court, twenty-four (24) feet; distance between buildings, ten (10) feet,
 - (3) Group dwellings in a tandem "back-to-front" series; side yard providing access to buildings to rear of lot, twelve (12) feet; distance between buildings, thirty (30) feet,
 - (4) Group dwellings in an end to front or rear, corner to corner, or corner to front or rear arrangement, eighteen (18) feet,
 - (5) All yard requirements of this section shall be increased two (2) feet for each story above the ground story of any structure. No building in a group dwelling development shall have the rear thereof abutting upon a street,
- (i) Off-Street Parking Space: As regulated in Article 4-C of these Regulations.

R-5, GENERAL APARTMENT DISTRICT REGULATIONS

11-1317. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all R-5 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas where group dwellings and apartments are the proper uses, as developed from density standards of the Master Plan.

11-1318. Uses Permitted:

- (a) Uses permitted in the R-1, R-2, and R-4 Districts; group dwellings, multiple dwellings and apartments, (Amended by Ord. No. 1385, N.S.)
- (b) Boarding and lodging houses,
- (c) Private storage garages, parking lots uncovered and screened by suitable walls or planting when operated by or in conjunction with a permitted use,
- (d) Parks, playgrounds, public and private schools, churches and religious institutions, libraries, nurseries and day care centers, and public buildings,
- (e) Signs: As regulated in Article 4-B of these Regulations.

11-1319. Uses Requiring Use Permits: It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

- (a) Hospitals, rest homes, sanitariums, mortuaries, and professional offices, for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, and other uses which are similar to the foregoing; and clubs, lodges and fraternities, except those open to the general public or operated as a business for profit,
- (b) Apartment Hotels and Accessory Uses,
- (c) Incidental and accessory buildings and uses on the same lot with, and necessary for, the operation of any permitted use,
- (d) Advertising signs pertaining directly to a permitted non-residential use or uses on a property, as regulated in Article 4-B of these regulations,
- (e) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor which are incidental to the development during the construction and/or sales period.

11-1320. Minimum Height, Bulk and Space Requirements:

- (a) Lot Area: Not less than five thousand (5,000) square feet in all lots recorded on and after the effective date of this Chapter, August 1, 1958. However, regardless of date of recordation, there shall be not less than one thousand (1,000) square feet of lot area for each family dwelling unit, (Amended by Ord. No. 1476, N.S.)
- (b) Lot Width: Not less than fifty (50) feet on all lots recorded on and after the effective date of this Chapter, August 1, 1958, (Amended by Ord. No. 1476, N.S.)
- (c) Maximum Main Building Coverage: Fifty per cent (50%) of lot area,
- (d) Building Height Limit: Four (4) stories, but not to exceed fifty (50) feet,
- (e) Front Yard: Twenty (20) feet, (Amended by Ord. No. 1372, N.S.)
- (f) Side Yards: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may be less than five (5) feet. However, two (2) feet shall be added to each required side yard for each story above the first story of any building, but shall not be required to be more than ten (10) feet. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 & 1533, N.S.)
- (h) Distances Between Main Buildings on Same Lot:
 - (1) Group dwellings in a single row "side-to-side" series facing a side lot line; side yards to the rear of buildings, ten (10) feet; side yards in front of building, fourteen (14) feet; distance between buildings, ten (10) feet,
 - (2) Group dwellings in a double row "side-to-side" series facing a central court; side yards to the rear of buildings, ten (10) feet; width of central court, twenty-four (24) feet; distance between buildings, ten (10) feet,
 - (3) Group dwellings in a tandem "back-to-front" series; side yard providing access to buildings to rear of lot, twelve (12) feet; distance between buildings, thirty (30) feet,
 - (4) Group dwellings in an end-to-front or rear, corner to corner, or corner to front or rear arrangement, eighteen (18) feet,
 - (5) The rear yard at the rear of a lot on which a dwelling group is constructed may be reduced to not less than twelve (12) feet. No building in a group dwelling development shall have the rear thereof abutting upon a street,
- (i) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations.

R-6, HOTEL-APARTMENT DISTRICT REGULATIONS

- 11-1321. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all R-6 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas where large apartments and hotels and limited non-residential uses are the desirable uses, as developed from density standards of the Master Plan.
- 11-1322. Uses Permitted.
- (a) Uses permitted in the R-1, R-2, R-3, R-4 and R-5 Districts,
 - (b) Hotels, motels, hospitals, rest homes, professional offices for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, and other uses which are similar to the foregoing; and clubs, lodges and fraternities, except those open to the general public or operated as a business or for profit,
 - (c) Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use,
 - (d) Signs: Those pertaining directly to a permitted multiple family or non-residential use on the property, and as further regulated in Article 4-B of these Regulations.
- 11-1323. Uses Requiring Use Permit. It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:
- (a) Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.
- 11-1324. Minimum Height, Bulk and Space Requirements:
- (a) Lot Area: Not less than five thousand (5,000) square feet in all lots recorded on and after the effective date of this Chapter, August 1, 1958. However, regardless of date of recordation, there shall be not less than five hundred (500) square feet of lot area for each family dwelling unit, and not less than three hundred-fifty (350) square feet of lot area for each bedroom in a hotel, rooming or boarding house, residence club or motel, (Amended by Ord. No. 1476, N.S.)
 - (b) Lot Width: Not less than fifty (50) feet on all lots recorded on and after the effective date of this Chapter, August 1, 1958, (Amended by Ord. No. 1476, N.S.)

- (c) Maximum Main Building Coverage: Sixty per cent (60%) of lot area,
- (d) Building Height Limit: Eight (8) stories, but not to exceed one hundred (100) feet,
- (e) Front Yard: Twenty (20) feet,
- (f) Side Yards: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may be either less than five (5) feet or be required to be more than ten (10) feet. However, two (2) feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of the rear yard, as defined in Sec. 11-1246, may be occupied by accessory buildings or structures (swimming pools excepted), (Amended by Ord. Nos. 1441 & 1533, N. S.)
- (h) Distances Between Main Buildings on Same Lot: Same as required in R-5 Districts,
- (i) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations.

A-P, ADMINISTRATIVE-PROFESSIONAL DISTRICT REGULATIONS

11-1325. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all AP Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas where administrative and professional offices, medical and related facilities are the proper uses as indicated by the Master Plan.

11-1326. Uses Permitted.

(a) Offices of an administrative and professional nature including but not limited to the following:

- (1) Accountants,
- (2) Architects,
- (3) Artists,
- (4) Attorneys,
- (5) Authors,
- (6) Doctors and Dentists,
- (7) Engineers,
- (8) Insurance agencies,
- (9) Real Estate Offices,

(b) The following medical facilities:

- (1) Dental Clinics,
- (2) Hospitals,
- (3) Medical Clinics,
- (4) Medical Laboratories,
- (5) Nursing and convalescent homes,
- (6) Radiologist Laboratories,
- (7) Rest homes,
- (8) Sanitariums,

(c) Incidental or accessory buildings and uses on the same or adjacent lots which are necessary for the operation of any permitted use,

(d) Signs: Those pertaining directly to a permitted use on the property, and as further regulated in Article 4-B of these Regulations.

11-1327. Uses Requiring Use Permits. It is the intent of this section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

(a) Mortuaries,

(b) Underground or above ground public utility facilities for primarily local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses, excluding City-owned utilities,

(c) Uses compatible and incidental to those designated in Section 11-1326. (Amended by Ord. No. 1359, N.S.)

11-1328. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area: Ten Thousand (10,000) square feet,
- (b) Lot Width: Seventy-five (75) feet,
- (c) Maximum Main Building Coverage: Forty per cent (40%) of lot area,
- (d) Building Height Limit: Two (2) stories, but not to exceed forty (40) feet,
- (e) Front Yard: Twenty (20) feet,
- (f) Side Yard: Side yards shall total not less than twenty per cent (20%) of the lot width, and no side yard may be either less than seven (7) feet or be required to be more than twenty (20) feet. However, two (2) feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of a corner lot shall be not less than ten (10) feet,
- (g) Rear Yard: Twenty (20) feet. Not more than forty per cent (40%) of any rear yard may be occupied by accessory buildings or structures,
- (h) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations.

C-1, NEIGHBORHOOD BUSINESS DISTRICT REGULATIONS

- 11-1329. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all C-1 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied on properties suitable to serve residential areas with convenient shopping and service facilities.
- 11-1330. Uses Permitted.
- (a) Any non-residential use permitted in the "R" Districts,
 - (b) The following and similar retail business uses:
 - (1) Art and antique shops,
 - (2) Bakery goods stores,
 - (3) Banks, savings & loan associations, including "drive-in" facilities,
 - (4) Barber and beauty shops,
 - (5) Book stores and rental libraries,
 - (6) Candy stores,
 - (7) Clothing stores,
 - (8) Commercial parking lots and structures,
 - (9) Dairy products stores, excluding processing,
 - (10) Drug stores, including fountain and food service,
 - (11) Florist shops,
 - (12) Food stores,
 - (13) Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except the service with gasoline, oil, air and water shall be conducted within a building; subject further to the provisions of Sec. 11-14A7(m) of this Chapter,
 - (14) Gift, novelty and stationery shops,
 - (15) Hardware stores,
 - (16) Health studios,
 - (17) Jewelry shops,
 - (18) Laundries and cleaning agencies, including pressing, spotting, garment repair and alteration services,
 - (19) Liquor stores, package only,
 - (20) Music and dancing studios,
 - (21) Public buildings intended to directly serve the public,
 - (22) Repair shops for shoes, radios and television sets, small domestic appliances, watches and similar items,
 - (23) Restaurants, snack bars, lunch counters, but excluding "drive-ins",
 - (24) Self operated laundries,
 - (25) Taverns without live entertainment,
 - (c) The following uses:
 - (1) Public utility service offices and underground or above ground public utility facilities primarily for local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses,
 - (d) Signs: As provided in Article 4-B of these Regulations.

11-1331. Uses Requiring Use Permits. It is the intent of this section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, adequate light and air for dwelling uses, and similar considerations:

- (a) Any dwelling use permitted in the "R" Districts; provided, however, any such dwelling use authorized under this section shall be permitted only if located within a structure utilized in part, for commercial purposes; and provided further, that the floor area of any dwelling use authorized hereunder shall not exceed forty-nine per cent (49%) of the aggregate floor area of such structure. In the computation of the "floor area" of the dwelling use all areas of ingress and egress shall be excluded.

11-1332. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area, Lot Width, Building Coverage Regulations: None,
- (b) Building Height Limit: Two (2) stories but not to exceed thirty (30) feet,
- (c) Front Yard: None,
- (d) Side Yard: None, except where the side yard of a lot abuts an "R" District, a minimum side yard of five (5) feet, plus two (2) feet for the second story, shall be maintained,
- (e) Rear Yard: None, except where the rear yard abuts an "R" District a minimum of fifteen (15) feet shall be maintained,
- (f) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations. (Amended by Ord. No. 1363, N.S.)

C-2, CENTRAL BUSINESS DISTRICT REGULATIONS

11-1333. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all C-2 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas suitable for complete central retail business and service uses to serve a residential community.

11-1334. Uses Permitted.

(a) Uses permitted in C-1 Districts, except those which require a use permit under Sec. 11-1335, (Amended by Ord. No. 1425, N.S.)

(b) The following and similar retail, business, or service uses:

- (1) Appliance stores,
- (2) Art Supply shops,
- (3) Auditoriums,
- (4) Bakery shops,
- (5) Beauty colleges,
- (6) Blueprinting shops,
- (7) Bowling establishments,
- (8) Business colleges,
- (9) Business offices,
- (10) Catering shops,
- (11) Dairy products stores and related processing facilities,
- (12) Department stores,
- (13) Furniture stores, including new and used,
- (14) Hotels, motels,
- (15) Ice dispensing stations (automatic),
- (16) Job Printing shops,
- (17) Lodge halls and social clubs,
- (18) Mortuaries, and crematories if on the same premises,
- (19) Music stores,
- (20) Newspaper publishing and printing establishments,
- (21) Paint stores,
- (22) Pawn shops,
- (23) Pet shops,
- (24) Photographic stores,
- (25) Plumbing supplies and fixtures, retail sales only,
- (26) Restaurants,
- (27) Shoe stores,
- (28) Taverns with or without related food or entertainment facilities,
- (29) Taxi stands,
- (30) Theatres, including movie and legitimate, but excluding "drive-in" type,
- (31) Travel agencies,
- (32) Used household articles and clothing sales,

(c) Incidental storage and accessory uses, including repair operations and services, provided such uses shall be incidental to the retail sale of products on the premises, shall not employ more than five (5) persons excluding sales personnel, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration,

(d) Signs: As provided by Article 4-B of this Chapter.

11-1335. Uses Requiring Use Permits.

- (a) Automobile sales and services, used car lots; provided, however, that the restrictions of Section 11-1334(c) relating to number of employees allowed, shall not apply to these uses,
- (b) "Drive-in" restaurants and other "drive-in" establishments, but excluding "drive-in" movie theatres,
- (c) Dwellings in conjunction with permitted non-residential uses as regulated by Section 11-1331(a) of this Chapter,
- (d) Veterinary clinics and/or veterinary hospitals. Such uses may be allowed only upon a finding by the Planning Board that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted, (Added by Ord. No. 1400, N.S.)
- (e) Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except the service with gasoline, oil, air and water shall be conducted within a building; subject further to the provisions of Section 11-14A7(m) of this Chapter. (Added by Ord. No. 1425, N.S.)

11-1336. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area and Width: None,
- (b) Building Height Limit: Eight (8) stories, but not to exceed one hundred (100) feet,
- (c) Building coverage: Buildings may cover one hundred per cent (100%) of the building site; provided, however, the ratio of all floor space to lot size shall not exceed 5 to 1,
- (d) Front Yard: None,
- (e) Side Yard: No yard or a minimum of twelve (12) feet; provided, however, where any lot abuts a residential district there shall be a minimum side yard of five (5) feet plus an additional two (2) feet for each story over three (3),
- (f) Rear Yard: None; provided, however, where the rear portion of the lot is accessible from a street, alley or parking lot, or combination thereof, the rear yard shall be a minimum of twelve (12) feet; provided, further, that any structure may project over such required rear yard if a fourteen (14) foot clear vertical distance between said structure and ground level is maintained,
- (g) Off-Street Parking and Loading Space: As provided by Article 4-C of this Chapter. (Amended by Ord. No. 1373, N.S.)

C-M COMMERCIAL-MANUFACTURING DISTRICT REGULATIONS

11-1337. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all C-M Districts as delineated and described in the Zoning Maps(s).

This district classification is intended to be applied where general commercial facilities are necessary and desirable for public service and convenience, or where light manufacturing will be a compatible use because of the absence of noise, odor, dust, dirt, smoke, vibration, heat, glare, excessive vehicular and rail traffic, radiation, and other hazards incidental to certain industrial uses.

11-1338. Uses Permitted.

- (a) Uses permitted in C-1 and C-2 Districts, but excluding residential uses.
- (b) The following uses which are conducted principally within enclosed structures:
 - (1) Assembly of electrical appliances, electronic instruments and devices, and radios and phonographs, including the manufacture of small parts, such as coils, condensers, transformers, crystal holders and similar items,
 - (2) Automotive repairing; overhauling, rebuilding and painting; sales and services,
 - (3) Bakeries and bakery goods distributors,
 - (4) Boat sales and service,
 - (5) Bookbinding, printing, lithographing and engraving shops,
 - (6) Cabinet and carpenter shops,
 - (7) Candy, confectionery, catering establishments,
 - (8) Car washing establishments,
 - (9) Carpet and rug cleaning or dyeing,
 - (10) Cleaning and dyeing plants,
 - (11) Cold storage plants, including ice storage,
 - (12) Columbariums and crematoriums,
 - (13) Dairy products processing plants, but excluding canning operations,
 - (14) Diaper supply services,
 - (15) Electrical repair shops,
 - (16) Equipment sales and service, including refrigeration,
 - (17) Exterminators,
 - (18) Glass shops, including auto glass,
 - (19) Heating and ventilating shops,
 - (20) Household goods storage and moving,
 - (21) Jewelry manufacturers,
 - (22) Laundries and linen supply services,
 - (23) Machinery sales, rentals and services,
 - (24) Optical goods manufacturing,
 - (25) Packaging establishments,
 - (26) Parcel delivery services,
 - (27) Petroleum products distribution station and accessory uses,
 - (28) Photographic processing, finishing and printing,
 - (29) Repair shops - Miscellaneous,
 - (30) Research laboratories and institutions,

- (31) Sail lofts,
- (32) Scientific instrument and equipment manufacturing and precision machine shops,
- (33) Sheet metal shops,
- (34) Ship chandleries,
- (35) Storage yards for motor vehicles, but excluding truck units as defined in Sec. 11-1229.1,
- (36) Tire sales, retreading, or recapping,
- (37) Tool or cutlery sharpening or grinding,
- (38) Underground or above ground public utility facilities for primarily local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses,
- (39) Upholstery shops,
- (40) Veterinary clinics, veterinary hospitals, animal kennels, shelters, or pounds, provided that no such use shall be located within two hundred (200) feet of any "R" District unless allowed under a use permit and provided, further, that all outside pens or runs shall be screened from all adjacent lots and streets by solid fences or walls no less than six (6) feet in height, (Amended by Ord. No. 1400, N.S.)
- (41) Warehousing and storage facilities,
- (42) Wholesale trade establishments,

(c) Other commercial-manufacturing uses which are similar to the uses permitted in this district, are normally conducted within an enclosed structure, and are not specifically mentioned in M-1 and M-2 District regulations.

11-1339. Uses Requiring Use Permits. It is the intent of this section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

- (a) Commercial-Manufacturing uses not specified above which normally are not conducted within an enclosed structure,
- (b) Outdoor amusements,
- (c) Veterinary clinics and/or veterinary hospitals. Such uses may be allowed within two hundred (200) feet of any "R" District only upon a finding by the Planning Board that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted. (Added by Ord. No. 1400, N.S.)

11-1340. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area, Width, Coverage and Front Yard: None,
- (b) Building Height Limit: One hundred (100) feet,

- (c) Side Yard: Same as specified for C-2 District,
- (d) Rear Yard: Same as specified for C-2 District,
- (e) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations,
- (f) Signs: As regulated in Article 4-B of these Regulations.
Amended by Ord. No. 1356, N.S.)

M-1 INTERMEDIATE INDUSTRIAL (MANUFACTURING) DISTRICT REGULATIONS

11-1345. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all M-1 Districts, as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas suitable for light manufacturing and other industrial purposes, and in which a reasonable degree of control is desirable for the protection of uses within and adjacent to the area so classified.

11-1346. Uses Permitted.

- (a) Any use as permitted and regulated in C-M District,
- (b) The following and similar uses from which noise, smoke, dust, noxious fumes and gases, glare, heat and vibration are confined within the premises or held to volumes, intensities and levels at the perimeters of individual properties which are no greater than those in the general area, in which disposal of all waste matter and material is in conformity with local and State standards and regulations, and in which all operations are conducted principally within buildings, except that other operations may be permitted within enclosures under conditions consistent with the intent of this Chapter, if approved by the Planning Board:
 - (1) Automobile parts, accessories and assemblies rebuilding,
 - (2) Battery manufacturing,
 - (3) Blacksmith shops,
 - (4) Canneries,
 - (5) Ceramic products manufacturing, excluding pulverizing of clay,
 - (6) Commercial advertising structure, poster panel and painted bulletin maintenance and manufacturing,
 - (7) Compounding, treating or manufacturing of articles or merchandise from the following previously prepared materials; bone, canvas, cellophane or other plastic sheeting, cloth, cork, feathers, felt, fibre, fur, hair, horn, glass, leather, light sheet metal products, paint (not employing a boiling process), paper, shell, textiles, tobacco, wire, and yarn,
 - (8) Cosmetics manufacturing,
 - (9) Drugs and pharmaceuticals manufacturing,
 - (10) Electric motors (under one H.P.) manufacturing,
 - (11) Electrical sign maintenance and manufacturing,
 - (12) Electronic equipment manufacturing, including radio, television and similar items,
 - (13) Food products (excluding fish products, sauerkraut, vinegar, yeast, rendering or refining of fats and oils, or any other product tending to produce noxious or offensive odors) processing,
 - (14) Light metal stampings manufacturing,
 - (15) Machine shops (not involving use of automatic screw machines, drop hammers or punch presses with a rated capacity of over twenty (20) tons,

- (16) Pencil manufacturing,
- (17) Perfume manufacturing and/or blendings,
- (18) Plastic, rubber or synthetic rubber product manufacturing,
- (19) Railroad Yards,
- (20) Shipping Terminals,
- (21) Toiletries and toilet soap manufacturing (excluding refining or rendering of fats and oils),
- (22) Truck cleaning and washing establishments,
- (23) Truck repairing and overhauling,
- (24) Wire products manufacturing, including nails, staples, wire cloth and similar items,
- (25) Woodworking shops and sash and door manufacturing, including incidental mill work,

(c) The following uses may be conducted within an area enclosed on all sides by a solid or open grill type wall, or a chain link fence and gates, all not less than six (6) feet in height, except that no wall or fence shall be required on the side that a property abuts a railroad right-of-way, the Estuary or U. S. Tidal Canal:

- (1) Boat building and repair of craft not exceeding one hundred (100) tons,
- (2) Building materials, including retail lumber sales; provided that all mill work is conducted within a completely enclosed structure; provided, further, the sales of rock, sand, gravel and like materials shall be clearly incidental,
- (3) Draying, freighting or motor truck terminal,
- (4) Feed and solid fuels sales yard,
- (5) Heavy equipment storage yard or plant, or rental facility for such,
- (6) Underground or above ground public utility facilities for primarily local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses,

(d) All other uses which are similar in character to the uses permitted above,

(e) Uses customarily incidental to any of the above uses when located on the same premises. Open storage of materials and equipment shall be permitted only within an area enclosed on all sides with a solid or open grill type wall, or a chain link fence and gates, all not less than six (6) feet in height and in a manner consistent with the intent of the section except that no wall or fence shall be required on the side that a property abuts a railroad right-of-way, the Estuary or U. S. Tidal Canal. A solid wall or fence not less than six (6) feet high shall be required where the proposed use adjoins property in an "R" District,

(f) Signs: Those pertaining to the permitted and accessory uses on the property, and poster panels or painted bulletins, all as regulated further in Article 4-B of these Regulations.

- 11-1347. Uses Requiring Use Permits. It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise and similar considerations:
- (a) Blacksmith shops and machine shops involving the use of drop hammers, automatic screw machines or punch presses with a rated capacity of over twenty (20) tons,
 - (b) Outdoor amusement uses,
 - (c) Veterinary clinics and/or veterinary hospitals upon the same terms and conditions set out in Section 11-1339(c). (Added by Ord. No. 1400, N.S.)

11-1348. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area: None,
- (b) Lot Width: None,
- (c) Maximum Total Building Coverage, including accessory buildings: Eighty per cent (80%),
- (d) Building Height Limit: One hundred (100) feet,
- (e) Front Yard: Five (5) feet minimum,
- (f) Side Yards: None, or where a side yard is desired, a minimum of twelve (12) feet shall be provided; provided, further, that in the event the use is adjacent to an "R" District, a minimum of twelve (12) feet shall be provided,
- (g) Rear Yard: None required, except that in the event the use is adjacent to an "R" District, a minimum of twelve (12) feet shall be maintained,
- (h) Off-Street Parking & Loading Space: As regulated in Article 4-C of these Regulations. (Amended by Ord. No. 1356, N.S.)

M-2, GENERAL INDUSTRIAL (MANUFACTURING) DISTRICT REGULATIONS

11-1349. General. The following specific regulations and the general rules set forth in Article 4-A shall apply in all M-2 Districts as delineated and described in the Zoning Map(s). It is intended that this district classification be applied in areas suitable for the least restricted use of land within the City and that the restrictions applied shall be those necessary for the public health, safety and general welfare.

11-1350. Uses Permitted.

(a) Any use as permitted and regulated in the M-1 District,

(b) The following and similar uses from which noise, smoke, dust, noxious fumes and gases, glare, heat and vibration are confined within the premises or held to volumes, intensities and levels at the perimeters of individual properties which are no greater than those in the general area, and in which disposal of all waste matter and material is in conformity with local and State standards and regulations, and in which all operations are conducted principally within buildings, except that other operations will be permitted within enclosures under conditions consistent with the intent of this Chapter if approved by the Planning Board.

- (1) Airport and related facilities, aircraft landing areas,
- (2) Asphalt batching plants, including hot mix,
- (3) Box or cooperage manufacturing,
- (4) Breweries,
- (5) Concrete products manufacturing, batching plants,
- (6) Cork products manufacturing,
- (7) Die Casting,
- (8) Electrical equipment manufacturing, including heavy motors (one H.P. and over), switch gear, transformers, turbines and similar items,
- (9) Enameling works, including ferrous enamel, panels, cast iron or pressed steel, sanitary ware and similar items,
- (10) Foundries - ferrous and non-ferrous,
- (11) Furniture (wood or metal) Manufacturing,
- (12) Lumber yard (wholesale), kiln,
- (13) Match manufacturing (safety matches only),
- (14) Metal products manufacturing or processing, structural, fabricated,
- (15) Metal shipping drum, barrel manufacturing,
- (16) Paperboard container product manufacturing and processing,
- (17) Pickle or vinegar manufacturing,
- (18) Pipe and pipe fitting manufacturing,
- (19) Planing mill,
- (20) Plumbing fixture manufacturing,
- (21) Poultry or rabbit killing and dressing,
- (22) Prefabricated houses or wood structural member manufacturing,
- (23) Railroad yards,
- (24) Shipbuilding and repairing (over one hundred (100) tons),
- (25) Shipping Terminals,
- (26) Textile manufacturing, including canvas, cloth and similar items,

- (27) Tool manufacturing - machine, hand,
- (28) Transportation equipment manufacturing,
- (29) Wood preservation processing,

- (c) Uses customarily incidental to any of the above uses, and accessory buildings when located on the same premises. Open storage of materials and equipment shall be permitted only within an area enclosed on all sides with a solid or grill type wall, or a chain link fence and gates, all not less than six (6) feet in height, except that no wall or fence shall be required on the side that a property abuts a railroad right-of-way, the Estuary or U. S. Tidal Canal. A solid wall or solid fence not less than six (6) feet high shall be required where a proposed use adjoins property in an "R" District,
- (d) Signs: Those pertaining to the permitted and accessory uses on the property, poster panels and painted bulletins, all as regulated further in Article 4-B of these Regulations.

11-1351. Uses Requiring Use Permits. It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

- (a) Auto wrecking yards,
- (b) Outdoor amusements,
- (c) Veterinary clinics and/or veterinary hospitals upon the same terms and conditions set out in Section 11-1339(c). (Added by Ord. No. 1400, N.S.)

11-1352. Minimum Height, Bulk and Space Requirements.

- (a) Lot Area: None,
- (b) Lot Width: None,
- (c) Maximum Total Building Coverage, including accessory buildings: Eighty per cent (80%),
- (d) Building Height Limit: One hundred (100) feet,
- (e) Front Yard: Five (5) feet minimum,
- (f) Side Yards: None, or where a side yard is desired, a minimum of twelve (12) feet shall be provided; provided further, that in the event the use is adjacent to an "R" District, a minimum of twelve (12) feet shall be maintained,
- (g) Rear Yard: None required, except that in the event the use is adjacent to an "R" District, a minimum of twelve (12) feet shall be maintained,
- (h) Off-Street Parking and Loading Space: As regulated in Article 4-C of these Regulations. (Amended by Ord. No. 1356, N.S.)

PD, PLANNED DEVELOPMENT COMBINING DISTRICT REGULATIONS

- 11-1353. Statement of Purpose. The purpose of the Planned Development regulations is to create a more desirable environmental quality for people to live in than would be possible through the strict application of the requirements of this Article; to encourage the most creative approach possible in the development of land in the City; to encourage a more efficient, aesthetic and livable use of all areas of the City; and to encourage a positive variety in the physical development patterns of the City.
- 11-1354. Planned Development District Defined. The Planned Development Combining District is hereby established as a zoning district classification and may be referred to as PD. The District is a combining district and shall not in any event constitute the exclusive zoning of any territory. Whenever any territory is zoned PD the PD zoning shall be combined with a base district zoning for every part of the subject territory, provided however, that each part of the subject territory need not have the same base district zoning. As used in the preceding sentence, "base district" means one of the zoning districts listed in Section 11-1149 of this Chapter. The general rules set forth in Article 4-A shall apply in all PD Combining Districts.
- 11-1355. General Standards Governing Approval. The Board shall approve a Planned Development only if it finds that each of the following standards is met:
- (a) The Planned Development is in furtherance or implementation of the General Plan. If the development is considered desirable in the public interest, but is in conflict with the General Plan, amendment of the General Plan shall first be made,
 - (b) The Planned Development is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for the preservation of the environment affected by the development,
 - (c) The Planned Development is planned and developed to harmonize with any existing or proposed development in the immediate neighborhood.
- 11-1356. Qualifying Requirements.
- (a) All areas of the City zoned Planned Development shall be developed or redeveloped under the Planned Development process,
 - (b) No Planned Development may include less than two (2) acres of contiguous land unless the Planning Board finds that a tract containing less than two (2) acres is suitable as a Planned Development by virtue of its unique historical character, topography, natural landscape features, location adjacent to other Planned Developments, parks or water areas, or locations requiring special treatment or locations requiring special treatment or protection,

- (c) In order to assure developments of the quality desired by the City, professional talents of qualified urban planners, registered landscape architects, registered architects, registered engineers, and/or licensed land surveyors shall be utilized in different stages of the preparation necessary to effect a Planned Development. A qualified urban planner shall be defined as a planner holding a full membership in the American Institute of Planners or a planner authorized by the State Planning Advisory Committee to work on comprehensive general plan programs. Other professionals listed above shall be considered qualified if they are licensed by or registered with the State of California.

11-1357. Uses Permitted in Planned Development.

- (a) The following uses shall be permitted in any Planned Development District in which a residential density increase is proposed over that allowable in the underlying zone:
- (1) Uses permitted in the District with which the Planned Development District is combined,
 - (2) Uses requiring Use Permits in the District with which the Planned Development District is combined,
 - (3) The following retail business uses:
 - (a) Banks, savings and loan associations,
 - (b) Barber and beauty shops,
 - (c) Book stores and rental libraries,
 - (d) Pharmacies,
 - (e) Florist shops,
 - (f) Food stores,
 - (g) Laundry and cleaning agency outlets only, with no cleaning, spotting, or other similar work performed on the premises,
 - (h) Liquor stores, package only,
 - (i) Restaurants, snack bars, lunch counters, excluding drive-in facilities,
 - (j) Similar uses which, in the opinion of the Planning Board, fit the intent of this section,
- (b) The following additional uses shall be permitted in any Planned Development in which no residential density increase is proposed over that allowable in the underlying zone:
- (1) All uses permitted in the C-1 District,
- (c) All uses within Planned Development projects shall be intended for the primary use and convenience of occupants of the development and their guests. All uses permitted by (3) and (b) above shall:
- (1) Be located within a multiple dwelling, an administration building for the Planned Development or a building providing community facilities for the exclusive use of the occupants of the development and their guests,

- (2) Have no business signs or displays visible from the outside of the building in which they are located, which are not acceptable to the Board,
- (3) Have a total area which does not exceed five per cent (5%) of the gross floor area of all dwellings within the development,
- (4) Have no single establishment with more than one thousand, five hundred (1,500) square feet of floor area.

11-1358. Permitted Uses in Non-Residential Planned Development Districts.

The following uses shall be permitted in any non-residential Planned Development District:

- (a) Uses permitted in the District with which the Planned Development District is combined,
- (b) Any other use to the extent that the Planning Board finds it to be compatibly and harmoniously incorporated into the unitary design of the Planned Development.

11-1358.1. Calculation of Residential Densities. The number of dwelling units which may be constructed within a residential Planned Development shall be determined by dividing the net project area by the required lot area per dwelling unit which is required in the district with which the Planned Development District is combined, then adding or subtracting bonuses as provided herein.

11-1358.2. Determination of Net Project Area. The net project area includes all of the land within the Planned Development which is allocated for residential uses, or for common open space. Land dedicated for streets and land to be occupied by commercial and related uses is to be excluded from the net project area.

11-1358.3. Planned Development in More Than One District. If the Planned Development is in more than one (1) zoning district, the number of allowable dwelling units must be separately calculated for each portion of the Planned Development that is in a separate zone, and must then be combined to determine the number of dwelling units allowable in the entire Planned Development. However, the distribution of dwelling units and lot sizes within the Planned Development need not be affected by existing zoning district boundaries.

11-1358.4. Incentive Density Increases. Design, character, identity, and architectural siting variations incorporated into a development shall be considered cause for population density and building intensity increases (which shall include building height) not to exceed fifteen per cent (15%) of that allowable in the zone underlying the application, provided they make a substantial contribution to the objectives of a Planned Development. The degree of distinctiveness and desirable variation achieved shall govern the amount of density/intensity increase which the Planning Board may approve.

The Planning Board shall consider three major design features of each project when considering incentive density increases. The Board may grant up to five per cent (5%) increase in density for each of the three major design areas which follow. Some specific design features are included under each of the three major headings to aid in the consideration of each project's merit.

(a) Landscaping (Maximum increase of five per cent (5%):

- (1) Streetscape for this area,
- (2) Open space and plazas,
- (3) Use of existing landscape,
- (4) Pedestrian way treatment,
- (5) Recreational areas,

(b) Siting (Maximum increase of five per cent (5%):

- (1) Visual,
- (2) Use of existing features (water, etc.),
- (3) View,
- (4) Sun and wind orientation,
- (5) Circulation pattern,
- (6) Physical environment,
- (7) Variation in building setbacks,
- (8) Building groups (clusters, etc.),

(c) Design features (Maximum increase of five per cent (5%):

- (1) Street sections,
- (2) Architectural style,
- (3) Harmonious use of materials,
- (4) Parking area broken by landscape,
- (5) Varied use of house types, e.g., atrium or court, town-house, maisonette, attached, terrace, tower, etc.

11-1358.5. Density Limitations. If the Planning Board finds that any of the following conditions would be created by a proposed Planned Development, it may either (1) prohibit any increase in density, or (2) decrease the basic density allowance by up to fifteen per cent (15%) in order to avoid the creation of any of these conditions:

- (a) Inconvenient or unsafe access to the Planned Development,
- (b) Traffic congestion in the streets which adjoin the Planned Development,
- (c) Excessive burden on parks, recreational areas, schools, and other public facilities which serve the Planned Development.

11-1358.6. Pre-application Conference. Before submitting an application for a Planned Development permit, the applicant is urged to confer with the Planning Department to obtain information, assistance and application.

11-1358.7. Application Fee.

- (a) A fee of one hundred (\$100) dollars plus one (\$1) dollar for each five (5) dwelling units and/or a fee of one (\$1) dollar for every three thousand (3,000) square feet of gross non-residential floor area shall be charged for an application for a Planned Development permit,
- (b) A fee of one-half ($\frac{1}{2}$) that prescribed in (a) shall be charged for an application for major modification or amendment of an approved preliminary development plan and all major modifications shall be processed pursuant to Section 11-1358.9.

11-1358.8. Preliminary Development Plan.

- (a) An applicant seeking approval of a Planned Development shall submit a preliminary development plan with the application. The preliminary development plan must include all of the following information:
 - (1) A plot plan showing street systems, lot lines and lot designs,
 - (2) Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings, and similar public uses, or similar facilities proposed for common ownership or use,
 - (3) A plot plan for each building site and common open area, showing the approximate location of all buildings, structures, and improvements, the uses proposed for each building including mixed uses, and an indication of open spaces around buildings and structures,
 - (4) Elevation or perspective drawings or a scale model of all proposed structures and improvements except single-family residences and their accessory buildings. This submission need not be the result of final architectural decisions and need not be in detail,
 - (5) A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate dates when the development of each of the stages in the development will be completed; and (5) the area and location of common open space that will be provided at each stage,
 - (6) An outline of the proposed agreements, provisions, or covenants, if any, which will govern the use, maintenance, and continued protection of the planned development and any of its common open areas,

(7) The following plans and diagrams, insofar as the Planning Board finds that the planned development creates special problems of traffic, parking, landscaping or economic feasibility:

- (a) An off-street parking and loading plan,
- (b) A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the planned development and to and from existing thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern must be shown,
- (c) A landscaping and tree planting plan,
- (d) Any additional information necessary to complete the review of the application.

11-1358.9. Approval of Preliminary Development Plan.

- (a) The Planning Board shall give notice of a public hearing to be held on the preliminary plan before the Board. Notice of public hearing shall be given at least ten (10) days before the date of said hearing by posting public notices thereof on the property involved, by notifying all property owners within three hundred (300) feet of the frontage corners of said property by postal card and by publication thereof in a newspaper of general circulation within the City. All preliminary development plans shall be filed at least fifteen (15) days prior to the public hearing.
- (b) Within thirty (30) days following the public hearing the Board shall approve or disapprove the preliminary development plan or approve the preliminary development plan with modifications. If the Planning Board fails to act on the preliminary development plan within thirty (30) days of the public hearing, such inaction shall constitute approval. However, the Planning Board may, at its discretion, extend the thirty (30) day time period up to sixty (60) days.
- (c) Following Planning Board action, a summary of its findings shall be transmitted by the Board to the City Council for its review. The Council shall act only on those proposals which are affected by Section 11-1358.4 of this Article by either approving the Planning Board's action or referring the proposal back to the Planning Board for reconsideration.

11-1358.10. Approval of Final Development Plan. In plans not requiring subdivision of land or area pursuant to the State Subdivision Map Act and local subdivision regulations in this Code, a final development plan shall be filed without fee by an applicant for all plans involving more than two (2) acres in area. The plan shall contain in final form the information required in the preliminary plan. The Planning Director shall, and the Planning Board may, at its option, review all final development plans. The Planning Director or the Planning Board shall approve the final development plan if it is in substantial compliance with the approved preliminary development plan.

If the final development plan is not in compliance with the preliminary development plan, the final development plan shall be processed pursuant to Section 11-1358.9.

11-1358.11. Modification or Amendment of Approved Plan. An applicant may request amendment or modification to a previously approved preliminary or final development plan by submitting said amendment or modification to the Planning Board for consideration as specified in Section 11-1358.9 or Section 11-1358.10.

11-1358.12. Termination and Transferability. A Planned Development permit shall terminate one (1) year from the effective date of its granting unless actual construction has begun under valid building and other permits within such period. The Planned Development permit shall not be transferable by the permittee to any other person without Planning Board approval. Extension of the one (1) year time limit may be granted at the Planning Board's discretion.

The final plan shall, upon acceptance by the City, become a part of the City Zoning Map for the parcel covered by the final plan. The approved final development plan shall control the nature, size, location, and character of any and all uses proposed for the site covered by the final development plan. The owner shall, upon approval of the final plan, record with the County Recorder a plan document showing items (a)(1), (2) and (3) of Section 11-1358.8 in final form and a copy of the Board's approving resolution.

11-1358.13. Staging Limitations. If a Planned Development contains non-residential uses, these uses may be constructed first only if the Planning Board finds that the non-residential uses are consistent with the General Plan even though the residential area of the Planned Development is not built or completed.

The Planning Board shall not approve the final development plan for any stage of the Planned Development if the average of the allowable dwelling units per stage, up to and including the stage which is to be approved, exceeds by more than ten per cent (10%) the average number of dwelling units per stage which is allowable for the entire planned development.

"A", AGRICULTURAL COMBINING DISTRICT REGULATIONS

- 11-1359. General. The following regulations shall apply in all districts with which are combined "A" Districts in addition to the regulations hereinbefore specified, and shall be subject to the provisions of Article 4-A: provided, however, that wherever conflict in regulations occurs the regulations of this Section shall govern.
- 11-1360. Uses Permitted.
- (a) All uses permitted in the respective district with which the "A" District is combined,
 - (b) Large animal husbandry and livestock farming, provided that not more than one horse, one mule, one cow, or one steer or bull shall be kept for each half acre of area,
 - (c) Crop and tree farming.
- 11-1361. Uses Requiring Use Permits. It is the intent of this Section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location, or for such other factors as safety, congestion, noise, and similar considerations.
- (a) Dog and Cat Kennel,
 - (b) Dairy farming,
 - (c) Veterinary Hospital,
 - (d) Sale of agricultural products produced on the premises, provided that no permanent commercial structure for such purpose shall be permitted.
- 11-1362. Special Yards and Distances Between Buildings. Barns, stables, and similar accessory buildings shall be not less than fifty (50) feet from the front property line; not less than ten (10) feet from any side property line; nor less than forty (40) feet from any dwelling.

"B", SPECIAL BUILDING SITE COMBINING DISTRICT REGULATIONS

- 11-1363. General. In any district with which is combined any "B" District, the following special regulations shall apply; provided, however, that wherever conflict occurs with respect to regulations covering building site area, depth of front yard or width of side yards, the more restrictive regulations shall govern. It is intended that these regulations shall be applied to those areas where a less than normal coverage of the building site area would afford better protection to the public health, safety and welfare.
- 11-1364. Special Regulations.
- (a) Building Site Area Required: Shall be indicated by a number

following the "B" in the district designation, which number represents the required area in thousands of square feet,

- (b) Side Yards Required: Ten (10) per cent of lot width on each side to a maximum requirement of sixteen (16) feet, but in no case less than eight (8) feet for interior side yards or ten (10) feet for side yards adjacent to streets on corner lots.

"H", SPECIAL HEIGHT COMBINING DISTRICT REGULATIONS

11-1365. General. In any districts with which are combined "H" Districts, the following special height regulations shall apply in lieu of the height regulations specified for such other districts; provided, that wherever conflict in regulations occurs the more restrictive of such regulations shall govern.

11-1366. Special Height Regulations:

- (a) The special maximum height regulations shall be indicated by the symbol "H" followed by a numerical figure which figure shall represent the maximum permitted height in feet measured from the average elevation of the ground area to be occupied by a particular building or structure.

"G", SPECIAL GOVERNMENT COMBINING DISTRICT REGULATIONS

11-1374. General. The "G" District classification shall be combined with the district classifications applied to all lands in the ownership of the U. S. Government or the State of California.

Following acquisition, and prior to the use of any such lands by any other owners, rezoning procedures shall be completed to remove the "G" Classifications and to consider further appropriate district classification changes.

"Y", SPECIAL YARD COMBINING DISTRICT REGULATIONS

11-1375. General. In any districts with which are combined "Y" Districts, certain special yard requirements shall apply in lieu of those otherwise provided. Where conflict in such regulations occurs, the regulations of this Section shall apply.

It is intended that this district classification be applied in cases in which special yard depths are necessary to complement unusual conditions related to waterways, breaks in topography and rights-of-way requiring widening in the future.

The district symbol "Y" shall be followed by a letter "f" to indicate a special front yard depth, a letter "s" to indicate special side yard depths, or a letter "r" to indicate a special rear yard depth, and a numeral following such letter f, s, or r shall indicate the special required minimum yard depth in feet.

- 11-1376. Supplementary Off-Street Parking Spaces. Wherever there shall be a "Yf" district with a yard requirement less than the minimum required for an R-1 District with which it is combined, two additional unenclosed off-street parking spaces shall be provided.

"O", OPEN SPACE DISTRICT REGULATIONS

- 11-1377. General. The following specific regulations shall apply in all "O" Districts as delineated and described in the Zoning Map(s). It is intended that this district classification be applied on lands, tide lands and water areas suitable for recreational and aesthetic resource, and that the regulations established will promote and protect recreational uses, scenic vistas or reservation of land or water against the intrusion of improper uses.

- 11-1378. Uses Permitted.

- (a) Public and private parks, parkways, playgrounds, beaches, lagoons or lakes - except buildings or structures thereon,
- (b) Public and private golf courses, country clubs - except building or structures thereon,
- (c) Public and private land or water preserves,
- (d) Underground utility installations for local service,
- (e) Private boat docks and flotas for the exclusive use of abutting owners.

- 11-1379. Uses Requiring Use Permits. It is the intent of this section that the following uses shall be reviewed by the Planning Board for their propriety in a specific location or for such other factors as safety, sanitation, design and visual attractiveness:

- (a) Any structure or building located within areas described in Sec. 11-1378,
- (b) Above ground utility installation for local service,
- (c) Public and commercial small craft marinas and related installations,
- (d) Public and commercial concessionaire activities, uses and buildings.

ARTICLE 4-A, GENERAL PROVISIONS AND EXCEPTIONS

- 11-14A1. General. The regulations specified in this Chapter shall be subject to the following general provisions and exceptions.
- 11-14A2. Rules Governing Use of Zoning Map(s) and Symbols. Where uncertainty exists as to the boundaries of any district shown on the Zoning Map(s), the following rules shall apply:
- (a) Where such boundaries are indicated as approximately following property, street or alley lines, such lines shall be construed to be such boundaries,
 - (b) In unsubdivided property, and where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Map(s),
 - (c) A symbol indicating the classification of property on the Zoning Map(s) shall in each instance apply to the whole of the area within the district boundaries,
 - (d) Where a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to such vacant or abandoned street or alley.
- 11-14A3. Regulations Are Minimum. In interpreting and applying the provisions of this Chapter, unless otherwise stated, they shall be held to be the minimum requirements for the promotion and protection of the public safety, health, and general welfare.
- 11-14A4. Relationship to Other Regulations and to Private Restrictions.
- (a) Where conflict occurs between the regulations of this Chapter and any Building Code or other regulations effective within the City, the more restrictive of any such regulations shall apply.
 - (b) It is not intended that this Chapter shall interfere with or abrogate or annul any easement, covenants or other agreements now in effect; provided, however, that where this Chapter imposes a greater restriction than is imposed or required by other ordinances, rules or regulations, or by easements, covenants or agreements, the provisions of this Chapter shall apply.
- 11-14A5. Additional Uses Permitted. The following accessory uses, in addition to those hereinbefore mentioned, shall be permitted:
- (a) The renting of rooms and/or the providing of table board for not more than three (3) paying guests in a single family dwelling structure,

- (b) The operation of necessary service facilities and equipment in connection with hotels and schools, colleges, and other institutions when located on the site of the principal use,
- (c) Recreation, refreshment and service buildings in public parks, playgrounds and golf courses,
- (d) Off-street parking areas in conjunction with commercial or industrial uses may be permitted in "R" Districts on properties adjoining "C" or "M" Districts upon the securing of use permit in each case.

11-14A6. Building Site, Areas and Easements.

- (a) Any lot or parcel of land in one ownership, in R-1 and R-2 Districts, having an area sufficient for more than one (1) dwelling may be so used and a building permit may be issued for such use; provided, the owner thereof first files with the Planning Board and receives approval of a Record of Survey map showing the proposed new lot or lots and building sites proposed to be established in conformity with the regulations of the Subdivision Ordinance and other applicable ordinances and regulations.
- (b) A detached garage or accessory building, without living quarters, not over one (1) story high, may occupy not more than forty per cent (40%) of the required rear yard as defined in Sec. 11-1246. In exception to the provisions of this section a garage or other similar accessory building not exceeding fifteen (15) feet at the ridge or ten (10) feet at the top of parapet, may be built against the side and rear line; provided, that said garage or similar accessory building is not less than seventy-five (75) feet from any street, and in all other cases shall observe a five (5) foot clear distance for side and rear yard. A garage or accessory building that is not attached to and made a part of the main building shall not be closer than five (5) feet distance from the main building. (Amended by Ord. Nos. 1441 & 1533, N.S.)
- (c) In the case of a corner lot, no detached accessory building shall be erected, altered or moved so as to occupy any part of the front half of such lot.
- (d) Any interior lot of record existing prior to the effective date of this Chapter, August 1, 1958, shall be considered a legal building site regardless of area, and may be used as such subject to all applicable regulations of this Chapter; provided, however, that any such interior lot of record having a less lot area than required by this Chapter shall be subject to the following yard setback provisions:
 - (1) Front Yard: The provisions of Section 11-14A7(g) notwithstanding, the front yard of a lot less than one hundred (100) feet deep shall be equal to the average of the setback of the adjoining properties having the same frontage. In computing the above average, any adjoining setback greater than twenty (20) feet shall be considered as

twenty (20) feet; provided, further, that in the absence of a building on an adjoining property, such property shall be assumed to have a setback of twenty (20) feet. Any garage or carport facing a front property line shall be at least eighteen (18) feet therefrom,

- (2) Side Yard: For any lot less than fifty (50) feet in width each side yard shall be a minimum of ten per cent (10%) of the width of such lot, but no side yard shall be less than three (3) feet. For every story above the first story one (1) foot shall be added to each minimum side yard,
 - (3) Rear Yard: For a lot less than one hundred (100) feet in depth, the rear yard shall be twenty per cent (20%) of the average lot depth, but in no case shall it be less than twelve (12) feet, (Amended by Ord. No. 1371, N.S.)
- (e) Any corner lot of record existing prior to the effective date of this Chapter, August 1, 1958, shall be considered a legal building site regardless of area, and may be used as such, subject to all applicable regulations of this Chapter; provided, however, that any such corner lot of record having a less lot area than required by this Chapter shall be subject to the following yard setback provisions:
- (1) Front Yard: As regulated in Section 11-14A6(d)(1), except that on the side street side the setback shall be assumed to be twenty (20) feet,
 - (2) Side Yard: As regulated in Section 11-14A6(d)(2), except that the side yard on the street side shall be not less than ten (10) feet,
 - (3) Rear Yard: As regulated in Section 11-14A6(d)(3).
(Amended by Ord. No. 1371, N.S.)

11-14A7. Yards.

- (a) No yard or other open space provided about any building for the purpose of complying with the regulations of this Chapter shall be considered as providing a yard or open space or any other building or structure,
- (b) In any case where a setback line or future right-of-way line has been established by ordinance the required yards on the street frontages of lots shall be measured in accordance with such line and in no case shall the provisions of this Chapter be construed as permitting any structure to be erected, altered or otherwise extended beyond such lines,
- (c) Garages, carports and other accessory buildings may be attached to and have a common wall with the main building, or, when located as required by this Chapter (Sec. 11-14A6(b)) may be connected thereto by a breezeway. No parking spaces as required by this Chapter shall be located in any required front yard, or in any required side yard on the street side of any corner lot,

- (d) In cases where side yards are to be computed on the basis of twenty per cent (20%) of the width of the lot under the terms of this Chapter, no such basic side yard need exceed twenty (20) feet in width unless required by other regulations,
- (e) Balconies, canopies, cornices, fireplaces, galleries, sunshades and similar architectural features, but not including any wall or window surface, may extend into any required yard a distance not exceeding two (2) feet,
- (f) Uncovered porches or uncovered raised terraces not over thirty-six (36) inches above the finished grade, or uncovered stairways, fire escapes or landing places may extend into any required front or rear yard a distance not exceeding six (6) feet and into any required side yard a distance not exceeding one-half ($\frac{1}{2}$) the width of the required side yard,
- (g) In any R-1 or R-2 District where fifty per cent (50%) or more of the building sites have been improved with buildings, the front yard setback shall be equal to the average of the setbacks of adjoining properties having the same frontage; provided, however, no such setback shall be less than twenty (20) feet, and any setback greater than thirty (30) feet shall be assumed to be thirty (30) feet in computing said average. In computing the front yard setback of a corner lot, the average shall be computed assuming a front yard setback of twenty (20) feet on the side street side of said corner lot, (Amended by Ord. No. 1372, N.S.)
- (h) In case a dwelling is to be located so that the front or rear thereof faces any side lot line, such dwelling shall be located not less than ten (10) feet from such lot line. On a corner lot, the shorter street frontage shall be considered the front of the lot,
- (i) In the case of a corner lot adjacent to a key lot in any "R" District, the setback on the street side of the corner lot within twenty (20) feet of the side line of the key lot shall be equal to the front yard required on the key lot, and a clear five (5) foot rear yard shall also be maintained on the corner lot,
- (j) In "R" Districts fences, hedges, or walls in side and rear yards may not exceed six (6) feet in height, and may not exceed three (3) feet in height in front yards, (Amended by Ord. No. 1469, N.S.)
- (k) Nothing contained in the general provisions shall be deemed to reduce special yard requirements as set forth in the regulations for any district,
- (l) Yards required for residential buildings which may be permitted on a use permit basis shall be as required for the particular district, or for R-5 District, whichever yard requirements are greater,

(m) Yards required for Gasoline Service Stations shall:

- (1) Maintain an open space ten (10) feet along all portions of such premises adjoining the rear yard of a lot located in an adjacent residence district,
- (2) Maintain an open space of fifteen (15) feet along all portions of such premises which adjoin the side yard of a lot in a residence district,
- (3) The open spaces required by this section shall be maintained unoccupied and unobstructed; provided, however, that lawn, shrubbery and trees, and a hedge or self-supporting wall or fence not exceeding six (6) feet in height, shall be permitted in such space; provided, further, that such hedge, wall or fence shall not exceed three and one-half ($3\frac{1}{2}$) feet in height in the portion of such open space which projects towards the street beyond the inner line of the front yard of the adjoining lot or lots.

(n) Patio Covers:

- (1) Definition: Patio covers and similar roofed structures are defined as one story roofed structures unenclosed on two or more sides either attached to or separated from the main structure. Patio covers shall include but shall not be limited to such roofed structures as sunshades, arbors, walkways, garden courts, terraces, platforms, porches, pergolas, lath houses, greenhouses, or similar structures which may be partially or fully sheltered by the main structure to which it may be attached,
- (2) Permits and Plans: Building permits are required for these structures and adequate plans must be submitted to the Building Department for approval,
- (3) Extension into Rear Yard Area: Patio or other roofed structures as defined above may extend into any rear yard provided that:
 - (a) The patio or similar covered structure is unenclosed on at least fifty per cent (50%) of the area of its perimeter walls including the walls of the structure to which it may be attached and further that the wall opposite any required window in the main structure shall be at least sixty-five per cent (65%) open and clear,

Exceptions: (1) Walls with open mesh type screening will not be considered as enclosed walls and a twelve inch (12") high kick plate at the bottom will be permitted. (2) Upon submission of proper plans and subject to the approval of the Planning Department and Building Department these requirements may be altered to conform with any condition consistent with the intent of these provisions to maintain adequate natural light and ventilation for the main structure.

- (b) The total aggregate area of accessory buildings including patio covers and similar roofed structures shall not exceed forth per cent (40%) of any required rear yard,
- (c) If attached to the main building, a minimum distance of five (5) feet is maintained between the furthestmost projection of the roof or cover and any property line and if detached, minimum side yards and rear yards be maintained as required by appropriate zoning district regulations,
- (d) If detached from the main building, a minimum distance of five (5) feet is maintained between any roof, cover or architectural projection of the main building and any roof, cover or architectural projection of the accessory building. (Added by Ord. Nos. 1393 & 1533, N.S.)

11-14A8. Height Exceptions.

- (a) Towers, spires, chimneys, machinery penthouses, scenery lofts, cupolas, water tanks, radio aerials, television antennae and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than twenty-five (25) feet above the height limit established for the district in which the structures are located; provided, however, that no such architectural or utility structure in excess of the allowable building height shall be used for sleeping or eating quarters or for any commercial or advertising purposes.

Additional heights for public utility structures may be permitted upon approval by the Planning Board. Height limitations provided herein shall not apply to electric transmission lines and towers, unless they encroach on any officially designated aircraft approach zone.

11-14A9. Blast and/or Fall-Out Shelter Exceptions. Notwithstanding, anything to the contrary contained within the zoning laws and regulations of this Chapter, blast and/or fall-out shelters may be constructed and utilized within the City of Alameda subject only to the following requirements:

- (1) Setbacks. If any part of said shelter is constructed more than three (3) feet above the natural grade of the immediately surrounding ground surface, all setback requirements of the District in which such shelter is located shall be met; otherwise there shall be no setback requirements,
- (2) Lot Area (Coverage). If any portion of said shelter is constructed more than three (3) feet above the natural grade of the immediately surrounding ground surface, all lot and area and coverage requirements of the District in which such

shelter is located shall be met; otherwise there shall be no lot area or coverage requirements,

- (3) For the purposes of this section a blast and/or fall-out shelter is defined as any structure or device within or without a building designed, constructed, utilized, and maintained as a protective structure or device against the effects of fire, heat, blast, concussion, or the fall-out of radioactive elements resulting from nuclear or other explosions or any similar device; said shelter being constructed in conformance with the Building Code of the City of Alameda.
(Added by Ord. No. 1389, N.S.)

ARTICLE 4-B. SIGN REGULATIONS

11-14B1. Outdoor Advertising Signs as defined in Section 11-1232 and as further defined hereinafter and as erected in all districts shall be designed, erected, altered, moved or maintained in whole or in part in accordance with the following schedule and regulations.

11-14B2. Definitions.

- (a) Announcement or bulletin boards. A sign intended for and used by a public, charitable or religious institution, or a professional use,
- (b) Poster Panel and/or Painted Bulletins. These terms are synonymous with the term "billboard" as defined in Section 12-213 of Chapter 2, Title XII of this Code, and is a sign which does not necessarily advertise products or services offered on the premises upon which it is located,
- (c) Business Name Plate. A flat sign of small size attached to main building describing the nature of the business or product, or name of the occupant therein,
- (d) Drum Sign. A sign attached to pilasters or entrances of buildings,
- (e) Flat or Wall Signs. A sign erected parallel to, or painted on the surface, or integrated with the outside wall of the building,
- (f) Home Occupation or Identification Sign. A sign of small size attached to the main building for identification of a name of the occupant, building or lawful home occupation conducted therein,
- (g) Pole or Ground Sign. A sign erected on a pole, poles, or posts which is wholly independent of any building for support,
- (h) Professional Identification Sign. A sign intended for the identification of a permitted professional use and which is either attached to the main building or which is erected similar to a ground sign,
- (i) Projecting Sign. Sign erected on the face or outside wall of the building and which projects out at an angle therefrom,
- (j) Roof Sign. Sign erected upon and completely over the roof of any building,
- (k) Temporary Sign. A sign or device on which the characters, letters, illustrations, ornamentations are applied to cloth, paper, fabric, or material of any kind with or without a frame.

11-14B3 Types of Signs Permitted by Districts.

- (a) Residential Districts. Home occupation or identification, announcement or bulletin boards and provided further, business name plates, professional signs shall be permitted in R-5 and R-6 Districts only,
- (b) Administrative, Professional. Business name plate; professional signs,
- (c) Commercial. (C-1 and C-2) In all commercial districts signs shall be permitted as provided in residential districts, and as permitted and regulated in Chapter 2, Title XII of this Code; provided, however, no Poster Panel or Painted Bulletins shall be permitted in any C-1 District,
- (d) Industrial Districts. Signs as permitted in Residential and Commercial Districts and as further regulated in Chapter 2, Title XII, of this Code. (Amended by Ord. No. 1356, N.S.)

11-14B4. Area of Signs.

- (a) Measurement Standards: The total area of signs shall include (1) all visible faces of all permanent flat, projecting, pole, ground or roof signs, (2) the area within the perimeter of signs integral with a wall, and (3) the area within the perimeter of permanent or temporary signs placed upon or adjacent to the surface of windows or doors,

(b) Schedule of Areas:

- (1) The total area of permitted signs in a Residence District shall conform to the following regulations:

<u>Purpose</u>	<u>Area</u>
Identification of occupant or name of structure ...	1 sq. ft.
Permitted home occupation	2 sq. ft.
Announcement or bulletin board of church, school, and similar uses	25 sq. ft.
Identification of all professional occupants or occupations	25 sq. ft.

- (2) The total area of permitted signs in an Administrative-Professional District shall conform to the following regulations:

Identification of all professional occupants and occupations.....	25 sq. ft.
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- (3) The total area of signs for a use in a Commercial District shall be as regulated in Chapter 2, Title XII of this Code,
- (4) The total area of signs for a use in an Industrial District shall be as regulated in Chapter 2, Title XII of this Code,

- (5) In addition to the above one directional sign not exceeding fifteen (15) sq. ft. in area and limited to name and location of establishment in a nearby Commercial or Manufacturing District may be permitted in any of the business districts,
- (6) Signs and nameplates for offices and services above the ground floor of the building and signs for theatres shall be permitted in addition to the area limitations which may be set forth in Chapter 2, Title XII of this Code.

11-14B5. General Location of Signs: Signs, as permitted in this Chapter, may be located on the surface of, or project from the building wall adjacent to a street or streets, on the wall adjacent to a parking area if there is direct access between the accessory parking and the building, on the roof of buildings, or erected on poles or other ground supports as herein regulated, or as regulated in Chapter 2, Title XII of this Code. The limiting dimensions set forth shall include the structural members unless otherwise indicated.

Any provision of Chapter 2, Title XII to the contrary notwithstanding, no projecting roof, pole, or ground sign shall be located less than fifteen (15) feet from a Residential District.

11-14B6. Illumination of Signs:

- (a) In all Residential Districts signs may be illuminated by indirect illumination and in conformance with the limitations set forth in other districts. In all other districts signs may be illuminated in any manner provided that their light sources shall not be of excessive brightness or cause a glare hazardous to pedestrians, motor vehicle drivers, or be objectionable to adjacent residential structures. Flashing, moving or intermittent illumination shall be prohibited except by use permit. (Christmas display lighting is excluded from the above regulations).
- (b) Illumination of parking lots and used car sales lots, shall not be of excessive brightness or cause a glare objectionable to any adjacent Residential District, and except for safety purposes, shall be permitted only during the hours the establishment is in operation.

11-14B7. Permits for Signs: A Building Permit shall be obtained as provided in Chapter 2, Title XII of this Code.

ARTICLE 4-C. OFF-STREET PARKING & LOADING SPACE REGULATIONS

- 11-14C1. Intent: The following off-street parking and loading requirements and regulations are established in order to achieve, among others, the following purposes:
- (a) To relieve congestion on streets, and to provide more fully for movement of traffic, maneuvering of emergency vehicles or street maintenance equipment,
 - (b) To protect neighborhoods from vehicular traffic congestion generated by the adjacent non-residential districts,
 - (c) To promote the general welfare and convenience and prosperity of residential, commercial and manufacturing developments which depend upon the availability of off-street parking facilities.
- 11-14C2. Accessory Parking Spaces Required. Accessory off-street parking spaces (including access driveways) shall be provided in accordance with the schedule in Sec. 11-14C5 as a condition precedent to the occupancy of a residential, institutional, commercial or manufacturing use, and in conformance with other provisions of this Chapter:
- (a) Whenever a building is constructed, or
 - (b) Whenever an existing building is altered, resulting in an increase in the number of dwelling units, or
 - (c) Whenever there is a fifty per cent (50%) or more increase in the seating capacity, number of employees, and/or floor areas of a building, or
 - (d) Whenever the use of an existing building is changed to a use requiring fifth per cent (50%) or more off-street parking spaces, as determined by the provisions of Sections 11-14C4 and 11-14C5. (Amended by Ord. No. 1428, N.S.)
- 11-14C3. Continuation of Off-Street Parking Spaces. All existing off-street parking spaces or those required as accessory to a use of a proposed or altered building, shall continue unobstructed in operation, shall not be used for automobile service or repair and shall not be reduced below the required size as long as the main use remains, unless an equivalent number of spaces is provided for said use in another approved location.
- 11-14C4. Measurement Standards. For the purpose of determining accessory off-street parking requirements, definitions and standards shall be as follows:
- (a) Accessory Parking Space. An open or enclosed area accessible from the street for parking of motor vehicles of owners, occupants, employees, customers or tenants of the main building. Except for "attendant" served parking lots each space shall be not less than nine by twenty (9x20) feet, exclusive of adequate drives and turning spaces, and a minimum of seven (7) feet in height if covered. The adequacy of the parking facilities provided shall be based on an accurate plan of the spaces, lot,

or lots involved. "Attendant" served parking facilities may reduce parking stall dimensions to a minimum of eight by eighteen (8x18) feet,

- (b) Floor Area. The total area of all the floors measured from the exterior faces of the building (except that the floor or part thereof used for storage or packaging of merchandise may be excluded if approved by the Board) or, where set forth in the following schedule, only the floor area used by a specific use,
- (c) Seat. The number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs or similar seating facilities; spacing of rows shall be assumed at thirty (30) inches on center,
- (d) Employees. The maximum number of employees on the principal shift, plus twenty-five per cent (25%) of this shift,
- (e) Fractional Measurements. When units or measurements determining the number of required off-street parking and off-street loading spaces result in a requirement of a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded, and fractions over one-half ($\frac{1}{2}$) shall require one off-street parking or loading space.

11-14C5. Schedule of Required Minimum Off-Street Parking Space.

Residential

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|-------------------------------|--|
| (a) One-family dwelling | Two (2) spaces per dwelling unit, |
| (b) Two-family dwellings | One and one-half ($1\frac{1}{2}$) spaces per dwelling unit, |
| (c) Multiple family dwellings | One and one-half ($1\frac{1}{2}$) spaces per dwelling unit, |
| (d) Rooming Houses | One (1) space per guest room plus one (1) space for resident family, |
| (e) Hotels and motels | One (1) space per guest room or suite plus one (1) space for each four (4) employees. (Amended by Ord. No. 1619, N.S.) |

Institutions

- | | |
|---|--|
| (f) Hospitals | One (1) space per three (3) beds, plus one (1) space for each four (4) employees, including doctors whether resident or not, |
| (g) Out-patient clinics | One (1) space for each eight (8) seats in waiting rooms plus one (1) space for each four (4) employees, including doctors, |
| (h) Libraries, museums and similar uses | One (1) space for five hundred (500) square feet of floor area plus one (1) space for each four (4) employees, |
| (i) Places of worship | One (1) space per each ten (10) seats in auditorium and assembly rooms, |
| (j) Public buildings, municipal and educational | One (1) space for each two (2) employees plus adequate space for visitors and other principal users. |

Places of Assembly

- | | |
|--|---|
| (k) Theatres, lodge halls
auditoria, areans, stadia
and other places of assembly | One (1) space per ten (10) seats, |
| (l) Dance halls, skating rinks,
swimming pools | One (1) space per fifty (50) square
feet used for these activities,
Four (4) spaces per alley, |
| (m) Bowling alley | One (1) space for each two (2)
boat berthing spaces, and, if
applicable, such spaces as are
herein required for places of
assembly, |
| (n) Marinas, yacht clubs
and similar uses | One (1) space per thirty (30)
square feet of assembly rooms or
one (1) space for each four (4)
seats, whichever requires the
greater. |
| (o) Mortuaries | |

C-1, Neighborhood Business Districts (where development is isolated).

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|--|---|
| (p) Medical and dental
offices and clinics | One (1) space per one hundred fifty
(150) square feet of floor area, plus
one (1) space for each four (4)
employees, |
| (q) Retail stores, other
offices, and service
establishments | One (1) space per one hundred seventy-
five (175) square feet of floor area
of ground floor; one (1) space per
three hundred (300) square feet of
other floors, |
| (r) Eating places and other
similar uses | One (1) space per one hundred (100)
square feet of floor area or one (1)
space for each four (4) seats,
whichever requires the greater number. |

C-2, Central Business Districts or Major Shopping Centers.

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|--|--|
| (s) Retail stores, banks,
offices, service estab-
lishments, excluding
furniture stores and
similar low intensity uses | One (1) space per one hundred fifty
(150) square feet on the ground floor
plus one (1) for each three hundred
(300) square feet on upper floors, |
| (t) Furniture stores and
similar low intensity uses | One (1) space per five hundred (500)
square feet of floor area, |
| (u) Eating places, bars,
taverns | One (1) space per one hundred fifty
(150) square feet of floor area or
one (1) space for each six (6) seats,
whichever requires the greater number. |

C-M, Commercial-Manufacturing Districts. (Amended by Ord. No. 1356, N.S.)

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|--|--|
| (v) Commercial services,
warehouses, laboratories
storage, machine shops and
similar establishments | One (1) space per each two (2) employ-
ees, |
| (w) Uses as permitted in C-1,
C-2 Districts | As provided in C-2 regulations. |

Intermediate Industrial and General Industrial Districts.

- | | |
|---|---|
| (x) Manufacturing plants as permitted in the M-1 and M-2 Districts | One (1) space per each three (3) employees, |
| (y) For a specific building or use not scheduled above, the Planning Board shall apply the unit of measurement of the above schedule deemed to be most similar to the proposed building or use. | |

11-14C6. Separate or Combined Use of Facilities. A building containing one (1) use shall provide the off-street parking spaces as required for the specific use. A building, or a group of buildings, containing two (2) or more uses, operating normally during the same hours and which have different off-street parking requirements shall provide spaces for not less than the sum of the spaces required for each use, or the spaces required for a "large unit of development of business buildings".

Institutions, places of amusement or assembly may assume that up to, but not more than fifty per cent (50%) of their requirements may be shared in adjacent off-street parking areas which are accessory to business establishments and which normally have different hours of operation.

Provided, however, where there is a sharing of facilities by different owners, the owner and/or owners of the same lot or lots of the main building or buildings, structure or structures, and the owner and/or owners of the parking space shall execute and record a declaration of restrictions and conformance covering said parking facility, or facilities, in a form approved by the City Attorney, setting aside the required space for parking only; which restrictions and covenants may be waived only by the consent of the owner or owners or more than one-half ($\frac{1}{2}$) of the said facility or facilities, and with the consent of the City Council.

11-14C7. Location of Parking Spaces.

(a) Residential Uses. Parking spaces may be located as specified below or in combination thereof:

- (1) Covered parking within a main building or accessory building in accordance with the requirement of this Ordinance, or
- (2) Open parking spaces shall be permitted only upon the rear one-half ($\frac{1}{2}$) of a lot: or
- (3) Open parking spaces shall be permitted upon the front one-half ($\frac{1}{2}$) of a lot provided that: (a) no space shall be established within the required front yard area: (b) a landscaped area of at least five (5) feet in width is provided between parking area and any main or accessory building(s); and (c) a masonry wall (or equivalent material),

fence or compact evergreen hedge of not less than four (4) feet in height be provided along the sides and front of such parking facility, excluding any driveway entrances of not greater than twelve and one-half ($12\frac{1}{2}$) feet in width, (Amended by Ord. No. 1619, N.S.)

- (b) Institutional, Amusement and Assembly Uses. Accessory parking spaces shall be provided on the same lot as the institution or where no such adjacent land is available, then the nearest point of the parking lot shall be located within walking distance of three hundred (300) feet of the entrance of said building,
- (c) Business Uses (C-1, C-2). Accessory parking facilities shall be located on the same lot or adjacent to the business served in a public lot; however, where no such adjacent land is available, the nearest point of the parking lot shall be located within a walking distance of three hundred (300) feet of said building,
- (d) Commercial-Manufacturing Uses (C-M, M-1, M-2). (Amended by Ord. No. 1356, N.S.) Accessory parking facilities shall be located on the same lot as the main use served in a general or commercial manufacturing district; however, where no such adjacent land is available the nearest point of the parking lot shall be located within a walking distance of four hundred (400) feet of said use.

11-14C8. Accessways to Parking Areas. The location and width of entrance and exit driveways to accessory parking facilities (except for one-family and two-family dwellings) shall be planned in such a manner to interfere as little as possible with the use of adjacent streets. The center line of an access driveway to parking areas having ten (10) or more spaces shall be not less than thirty-five (35) feet from a street right-of-way line intersection. Parking areas of twenty-four (24) spaces or less shall be served by a driveway not less than ten (10) feet wide. Those having twenty-five (25) or more spaces shall have one (1) or two (2) driveways not less than a total width of twenty-five (25) feet. The aforesaid location and width regulations shall also apply to driveways for "drive-in" type of businesses.

11-14C9. Surface Improvements of Parking Areas.

- (a) All parking areas and access driveways shall have a smoothly graded, stabilized and dustless surface with adequate drainage so that injury will not be caused to adjacent properties, nor will such water drain across a public walk. Appropriate bumper guards or curbs shall be provided, where needed, in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required setbacks as established for the various districts or by other sections of this Chapter.
- (b) Any parking space provided in accordance with these regulations

shall be located the following minimum distances from any structure, except lighting standards or sign posts:

Where curbs are used: seven (7) feet
Where bumper rail or fence is used: three (3) feet

- 11-14C10. Illumination of Parking Areas. Parking area shall be adequately illuminated whenever necessary to protect the public safety. Such illumination shall be so designed and located that light sources are shielded from adjoining residential districts and streets, and shall not be of excessive brightness or cause a glare hazardous to pedestrians or auto drivers.
- 11-14C11. Off-Street Loading Space. Every institution, hotel, commercial or industrial building hereafter erected, enlarged or established on a lot which abuts upon an alley, or is surrounded on two (2) sides by streets, or has a frontage of at least sixty (60) feet shall have one (1) permanently maintained loading space of not less than ten (10) feet width, forty (40) feet length and fourteen (14) feet height for each such building in excess of twelve thousand, five hundred (12,500) square feet, but not exceeding forty thousand (40,000) square feet gross floor area.
- At least one (1) additional off-street loading space shall be provided for each fifty thousand (50,000) square feet or fraction thereof by which the building exceeds forty thousand (40,000) square feet of gross floor area.
- 11-14C12. Approvals. Except for one and two-family dwellings and/or loading facilities, detailed drawings of off-street parking facilities shall be submitted for approval by the Planning Department before an application for a building permit shall be approved. Such drawings shall show number of spaces and locations, dimensions and descriptions of all features enumerated in Sections 11-14C7 to 11-14C11, inclusive. The Planning Department may require structural or landscape features such as bumper guards, curbs, walls, fences, shrubs, ground cover or hedges to further the purposes of this Chapter.

ARTICLE 5. NON-CONFORMING BUILDINGS AND USES

- 11-151. General. Any non-conforming building, or any non-conforming use being conducted within a structure or upon open land may be continued, as provided in this Section; except that
- (a) Any non-conforming use being conducted on open land, and not incidental or accessory to a use being conducted within a structure upon the site, shall not be continued longer than two and one-half ($2\frac{1}{2}$) years from the date of non-conformity under the provisions of this Chapter, (Amended by Ord. No. 1343, N.S.)
 - (b) Any non-conforming outdoor advertising sign or outdoor advertising structure may be continued for a period of not longer than five (5) years from the date of non-conformity under the provisions of this Chapter, and
 - (c) If any non-conforming use is abandoned (not actively used), or voluntarily or by legal action caused to be discontinued for a period of one (1) year or more, then any subsequent use of the property shall be in conformity with the provisions of this Chapter.
- 11-152. Use Permit. If no structural alterations are made, a non-conforming use of a building may, upon approval of a use permit be changed to another non-conforming use of the same or more restricted use classification.
- 11-153. Changes Permitted. No non-conforming building or use shall be enlarged, extended, reconstructed or structurally altered, unless it is changed to conform to the regulations specified by this Chapter, provided that routine maintenance and repairs required by applicable health and safety codes shall be permitted in an aggregate amount during a five (5) year period of not to exceed one hundred per cent (100%) of the total assessed valuation according to the assessment thereof by the Assessor of the City of Alameda.
- 11-154. Restoration of Damaged Buildings. If at any time any non-conforming use or building shall be destroyed by fire, explosion, act of God or act of the public enemy to the extent of more than seventy per cent (70%) of the value thereof, then, and without further action by the City Council, said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all the regulations of the District in which such land and/or building are located. For the purposes of this Chapter, the value of any building shall be the estimated cost of the replacement of the building in kind, as determined by the City Engineer. Where any non-conforming building shall have been destroyed less than seventy per cent (70%), as specified above, a building permit for its restoration shall be completed one (1) year from the date of issuance of the building permit.

11-155. Effective Date. The foregoing provisions shall also apply to non-conforming buildings and uses in Districts hereafter changed or established, and any time limit for the suspension of a non-conforming use of land shall date from the date of the enactment of this Chapter or any amendment thereto.

11-156. Certification of Non-Conforming Use.

- (a) The owner of any land or building classified as a non-conforming use under the provisions of this Chapter may apply to the City Planning Director for a Non-Conforming Use Certificate. Upon such application, the City Planning Director shall issue such certificate, which shall set out the name of the owner, the location of the land or building, the extent and validity of such non-conforming use, and other appropriate data regarding such use.
- (b) Upon notification by the City Planning Director, the owner of any land or building classified as a non-conforming use under the provisions of this Chapter shall apply to the City Planning Director for a Non-Conforming Use Certificate. Upon such application, the City Planning Director shall issue such certificate as in (a) above.
- (c) Any Non-Conforming Use Certificate issued under the provisions of (a) and (b) above shall become invalid upon change of use or ownership, provided, that in the event of change of ownership the City Planning Director shall, upon request of the new owner, issue a new Non-Conforming Use Certificate, and provided, further, that in the event of change of use, the City Planning Director shall issue a new Non-Conforming Use Certificate upon the City Planning Board's approval of a Use Permit under the provisions of Section 11-152 of this Chapter. (Amended by Ord. No. 1374, N.S.)

ARTICLE 6. VARIANCES, USE PERMITS: PROCEDURE

11-161. Variances.

- (a) Intent. It is the intent of this section to prescribe the procedure for the variance from the provisions of this Chapter, under specified conditions, so that the public welfare is secured and substantial justice done most nearly in accord with the intent and purposes thereof.
- (b) Application. Application for a variance shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to permit the review of the proposal in the context of the required findings, and by a fee of twenty-five (\$25.00) dollars for major variance and fifteen (\$15.00) dollars for minor variance.
- (c) Procedure for Consideration.
 - (1) Major Variance. An application for a major variance shall be considered by the City Planning Board. A public hearing shall be held on each application. Notices of such public hearing shall be given by posting at least one (1) notice thereof on the property involved in the application, by one (1) publication in a newspaper of general circulation and by postal card or letter notices mailed to owners and occupants of adjacent properties and to as many other persons as the Zoning Administrator may deem advisable. All notices shall be posted, published or mailed at least seven (7) days prior to such public hearing. The Planning Board shall determine whether the conditions required in Section 11-161(d) are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to promote the purpose of the Zoning Ordinance. The determination of the Board shall become final seven (7) days after the date of decision unless appealed to the City Council in accordance with Section 11-161(f).
 - (2) Minor Variance. An application for a minor variance shall be considered by the Zoning Administrator. However, the Zoning Administrator may, at his discretion, refer any application to the Planning Board for consideration rather than acting on it himself. The Zoning Administrator or the Board, as the case may be, shall give such notice as is deemed appropriate to adjacent property owners or other affected parties; and, in cases referred by the Zoning Administrator to the Board a public hearing may be held before the Board. The Zoning Administrator or the Board, as the case may be, shall determine whether the conditions required in Section 11-161(d) are present, and may grant or deny an application for a variance or require such changes in the proposed use

or impose such reasonable conditions of approval as are in his or its judgment necessary to promote the purposes of the Zoning Ordinance. A determination by the Zoning Administrator shall become final seven (7) days after the date of decision unless appealed to the Board in accordance with Section 11-161(g). In cases which the Zoning Administrator refers to the Board, the decision of the Board shall be final.

- (3) Period of Consideration. Should a decision not be rendered pursuant to subsections one (1) and two (2) within sixty (60) days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Zoning Administrator or the Planning Board, as the case may be, and the applicant.
- (d) Findings Required. A variance may be granted only upon determination that all of the following conditions are present:
 - (1) That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the Zoning Ordinance, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance,
 - (2) That strict compliance with the regulation would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation,
 - (3) That the variance, if granted, will not adversely affect the character, livability or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy,
 - (4) That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the Zoning Ordinance.
- (e) Limitation of New Application. In case an application is denied by the Zoning Administrator, Planning Board or, on appeal by the City Council, it shall not be eligible for resubmittal for one (1) year from date of said denial, unless, in the opinion of the Zoning Administrator, new evidence is submitted on conditions have changed to an extent that further consideration is warranted.

- (f) Appeal to Council - Major Variance. Within seven (7) days after the date of a decision by the Planning Board, on an application for a major variance or on revocation of such a variance in accordance with Section 11-161(h), an appeal from said decision may be taken to the City Council by the applicant, the holder of the variance, or any other interested party. Such appeal shall be made on a form prescribed by the City Planning Department along with a fee of fifteen (\$15.00) dollars and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Board or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the Planning Board of the receipt of said appeal and of the time set for consideration thereof; and the City Clerk shall, not less than seven (7) days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering the appeal the Council shall determine whether the conditions required by Section 11-161(d) are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to carry out the purpose of the Zoning Ordinance. The decision of the Council shall be effective immediately.
- (g) Appeal to Planning Board - Minor Variance. Within seven (7) days after the date of a decision by the Zoning Administrator on an application for a minor variance, an appeal from said decision may be taken to the City Planning Board by the applicant or any other interested party. Such appeal shall be made on a form prescribed by the City Planning Department, and shall be filed with such department along with a fee of fifteen (\$15.00) dollars. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the Board shall set the time for consideration thereof, and, not less than seven (7) days prior thereto, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal. In considering the appeal the Board shall determine whether the proposed use conforms to the variance criteria, in Section 11-161(d) and to any other applicable variance criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions or approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Board shall be final.

- (h) Revocation. In the event of a violation of any of the provisions of the Zoning Ordinance, or in the event of a failure to comply with any prescribed condition of approval, the Planning Board may, after notice and hearing, revoke any variance. In the case of a revocation of a variance from one of the provisions listed in Section 11-161(c)(1), the determination of the Board shall become effective seven (7) days after the date of decision unless appealed to the City Council in accordance with Section 11-161(f). In the case of a revocation of a variance from one of the provisions referred to in Section 11-161(c)(2), the decision of the Board shall be final.
- (i) Termination and Transferability. A variance shall, if granted, terminate one (1) year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a variance not involving construction or alteration, has begun under valid permits within such period. The variance shall not be transferable by the grantee to any other person if no building permit has been obtained previously. (Amended by Ordinance No. 1635, N.S., effective December 4, 1970.)

11-162. Use Permits.

- (a) Intent. The intent of this section is to prescribe the procedure for the accommodation of uses with special site of design requirements, operating characteristics, or potential adverse effects on surroundings, through review, and where necessary, the imposition of special conditions of approval.
- (b) Application. Application for a use permit shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to enable the pertinent criteria to be applied to the proposal, and by a fee of twenty-five (\$25.00) dollars.
- (c) Procedure for Consideration.
 - (1) An application for any use permit shall be considered by the Zoning Administrator. However, the Zoning Administrator may, at his discretion, refer any application to the City Planning Board for consideration rather than acting upon it himself. At his or its discretion, the Zoning Administrator or the Board as the case may be, may give such notice as is deemed appropriate to adjacent property owners or other affected parties; and, in cases referred by the Zoning Administrator to the Board, a public hearing may be held before the Board. The Zoning Administrator or the Board, as the case may be, shall determine whether the proposal conforms to the general use permit criteria set forth in Section 11-162(d) and to other applicable use permit criteria, and may grant or deny the application for the use permit or require such

changes in the proposed use and impose such reasonable conditions of approval as are in his or its judgment necessary to ensure conformity of said criteria. A determination by the Zoning Administrator shall become final seven (7) days after the date of decision unless appealed to the City Planning Board in accordance with Section 11-161(f). In those cases which are referred to the Board, the decision of the Board shall be final.

- (2) Period of Consideration. Should a decision not be rendered pursuant to subsection(1) within sixty (60) days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Zoning Administrator or the City Planning Board, as the case may be, and the applicant.
- (d) General Use Permit Criteria. A use permit may be granted only if the proposal conforms to all of the following general use permit criteria, as well as to all other applicable use permit criteria:
 - (1) That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development,
 - (2) That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant,
 - (3) That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.
- (e) Limitation of New Application. In case an application is denied by the Zoning Administrator, or, on appeal by the City Planning Board, it shall not be eligible for resubmittal for one (1) year from the date of said denial, unless, in the opinion of the Zoning Administrator, new evidence is submitted or conditions have changed to an extent that further consideration is warranted.
- (f) Appeal to Planning Board. Within seven (7) days after the date of a decision by the Zoning Administrator for a use permit, an appeal from said decision may be taken to the City Planning

Board by the applicant or other interested party. Such appeal shall be made on a form prescribed by the City Planning Department, and shall be filed with such Department along with a fee of fifteen (\$15.00) dollars. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the Board shall set the time for consideration thereof, and, not less than seven (7) days prior thereto, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal. In considering the appeal the Board shall determine whether the proposed use conforms to the general use permit criteria set forth in Section 11-162(d) and to any other applicable use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Board shall be final.

- (g) Revocation. In the event of a violation of any of the provisions of the Zoning Ordinance, or in the event of a failure to comply with any prescribed condition of approval, the City Planning Board, may, after notice and hearing, revoke any use permit. In the case of revocation of a use permit the determination of the City Planning Board shall become final.
- (h) Termination and Transferability. A use permit shall, if granted, terminate one (1) year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a use permit not involving construction or alteration, has begun under valid permits within such period. The use permit shall not be transferable by the grantee to any other person if no building permit has been obtained previously. (As amended by Ordinance No. 1635, N.S., effective December 4, 1970.)

ARTICLE 7. AMENDMENTS AND PROCEDURES

- 11-171. General. This Chapter may be amended by changing the boundaries of Districts, or by changing other provisions thereof by procedures set forth in this Section, whenever the public necessity and convenience and the general welfare require such amendment.
- 11-172. Initiation. Amendment of this Chapter may be initiated by one of the following methods:
- (a) The petition of one or more property owners affected by the proposed rezoning, which petition shall be filed with the Planning Department,
 - (b) The City Council on its own initiative, who shall refer its request to the Planning Board for action pursuant to this Article,
 - (c) The Planning Board on its own initiative.
- 11-173. Fees. A petition for rezoning filed by affected property owner(s) of a single parcel, or of contiguous parcels of land, shall be accompanied by a fee of fifty (\$50.00) dollars, plus costs, no part of which shall be returnable. (Amended by Ord. No. 1500, N.S.)
- 11-174. Public Hearing.
- (a) The Planning Board shall within thirty (30) days hold at least one (1) public hearing on any proposed amendments, and shall give notice thereof by at least one (1) publication in a newspaper of general circulation within the City at least ten (10) days prior to such hearing.
 - (b) In case the proposed amendment includes a change of zone district boundaries or a change from one zone district classification to another, the Planning Department shall either post public notice thereof as prescribed in Sec. 11-161(d), or shall notify the affected property owners within three hundred (300) feet of the frontage corners of said property on both sides of the street, together with such other property owners as may be advisable in each particular case, not less than ten (10) days prior to the date of such hearing. Should the Planning Department elect to employ one notification method or the other, or should any property owner not receive written notice, it shall not invalidate any proceedings for the amendment of this Chapter.
- 11-175. Action by the Planning Board. At such hearings the Planning Board shall weigh:
- (a) The effect of the proposed amendment on the integrity of the Outline Master Plan,

- (b) The effect of the proposed amendment on the general welfare of the community,
- (c) The equitableness of the proposal,

Following the prescribed public hearings the Planning Board shall transmit a summary of its findings together with its recommendations to the City Council. Failure of the Planning Board to act on the proposed amendment within thirty (30) days from the receipt of said proposal shall be deemed approval; provided, however, City Council may permit an extension of time for such action.

11-176. Action by the City Council.

- (a) Upon receipt of a summary of such findings, maps and recommendations from the Planning Board the City Council shall set the matter for public hearing, and shall give notice thereof by publication in a newspaper of general circulation within the City at least ten (10) days prior to such hearing.
- (b) The report and recommendation of the Board on matters referred to in this article shall be advisory only. After receipt of the report and recommendation of the Board, the City Council shall act thereon and may approve, modify or disapprove the same and may adopt an ordinance effecting such reclassification, amendment or change in such forms as it may determine. Changes in the boundaries of any district or reclassification of any lot or land may be made by ordinance referring only to the section or sections of Zoning Map(s) affected by such changes, or by description in the amending ordinance.

11-177. Abandonment of Proceedings. Any petition for an amendment may be withdrawn upon written application of a majority of the signers of the petition. In the event public notice has been given, a retraction of said notice shall be immediately published as prescribed.

ARTICLE 8. CERTIFICATE OF OCCUPANCY

- 11-181. General. No vacant land in any District established under the provisions of this Chapter shall hereafter be occupied or used (agricultural uses excepted), and no building hereafter shall be erected, structurally altered, or moved into or within any such District, nor shall it be occupied until a certificate of occupancy is issued therefor by the Building Official of the City of Alameda.
- 11-182. Application. Application for a certificate of occupancy for a new use, a change of land use, for a new building or for an existing building which has been altered or moved shall be made to the Building Official of the City of Alameda before any such land or building is occupied or used. No permit for excavation on any building site shall be issued before an application for a certificate of occupancy has been made.
- 11-183. Issuance. A certificate of occupancy shall be issued within three (3) days after:
- (a) Written notice is received by the Building Official that the premises are ready for use or occupancy,
 - (b) Inspection by the Building Official indicates that the building or use is in conformity with this Chapter and other regulations of the City.

ARTICLE 9. DUTIES OF OFFICIALS, ENFORCEMENT AND PENALTIES

11-191. Duties of Officials.

(a) All departments, officials, and public employees of the City of Alameda which are vested with the duty or authority to issue permits or licenses shall issue no permit or license where the same would be in conflict with the provisions or intent of this Chapter.

(b) It shall be the duty of the Zoning Administrator to enforce the provisions of this Chapter.

In the prosecution of the above described duties, the Zoning Administrator or his authorized representative shall have the right to enter upon any premises or structures to make necessary inspections at any reasonable time, and in accordance with law. (As amended by Ord. No. 1635, N.S., effective December 4, 1970.)

11-192. Appeals. (Repealed by Ordinance No. 1635, N.S., effective December 4, 1970.)

11-193. Enforcement. Any building erected, altered, moved or maintained, and/or any use of property contrary to the provision of this Chapter shall be and the same is hereby declared to be unlawful and a public nuisance, and the City Attorney shall commence action or actions, proceeding or proceedings for the abatement, removal and the enjoinder thereof in the manner provided by law, and by the Charter. (As amended by Ord. No. 1635, N.S., effective December 4, 1970.)

11-194. Penalties. Any person or persons violating the provision of this Chapter shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Chapter 4, Sections 1-411-412 of the Alameda Municipal Code. All remedies provided for therein shall be cumulative and not exclusive.

11-195. Validity. If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

11-196. Reference. This Chapter shall be known and may be cited as the "City of Alameda ZONING ORDINANCE".

SECTION 2. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

WILLIAM M. McCALL,
Presiding Officer of the Council

Attest:

SHIRLEY H. TENNIER,
City Clerk

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting on the 1st day of July, 1958, by the following vote, to wit:

AYES: Councilmen Collischonn, Freeman, Petersen, Schacht and President McCall (5)

NOES: None

ABSENT: None

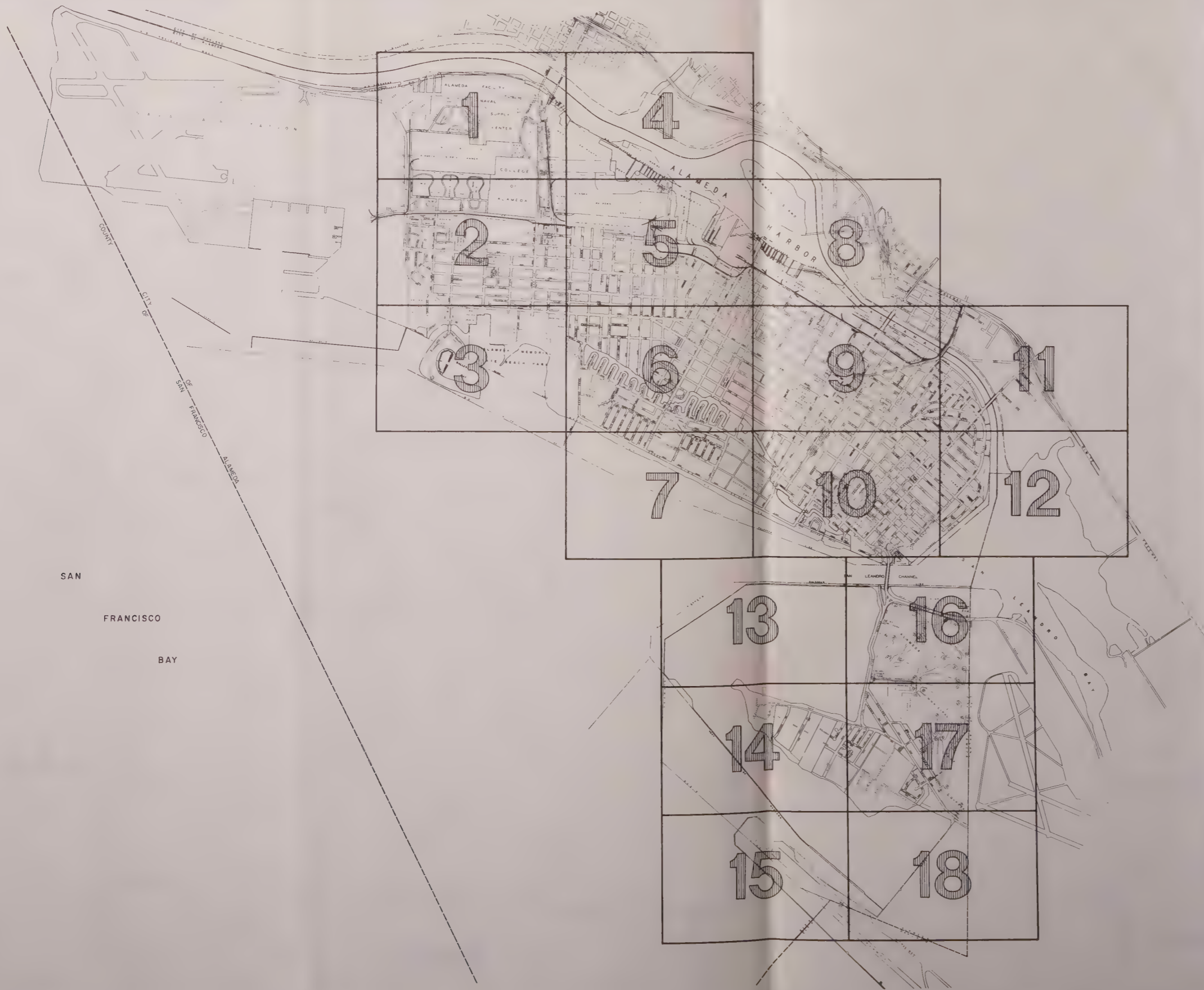
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 2nd day of July, 1958.

SHIRLEY H. TENNIER,
City Clerk of the City of Alameda

(SEAL)


Publish: July 4, 1958

APPENDIX A



CITY OF ALAMEDA

INDEX


NORTH

0 1000 2000 4000 6000 8000
scale in feet

city planning department 1970

ISSUE DATE: 7-1-72

[illegible]

ZONING MAP

CITY OF ALAMEDA



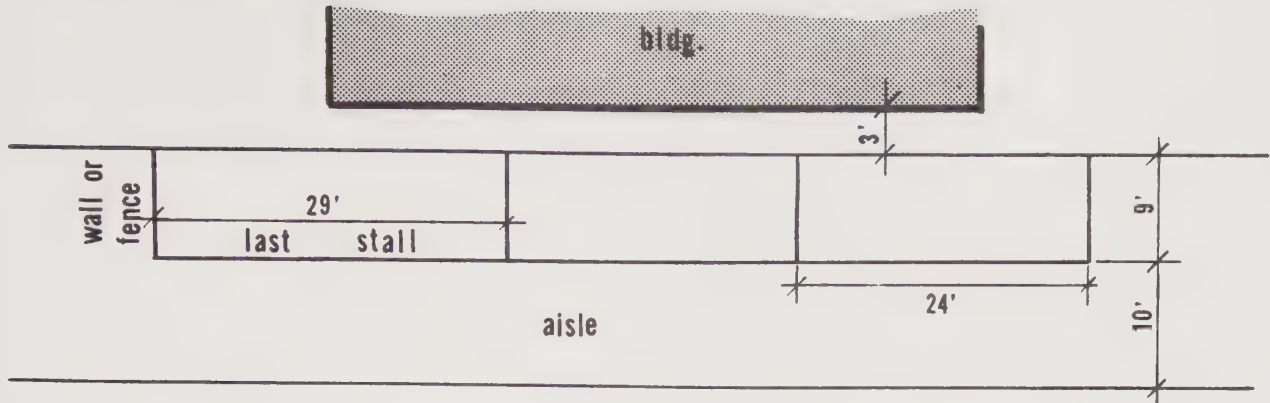
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city planning department

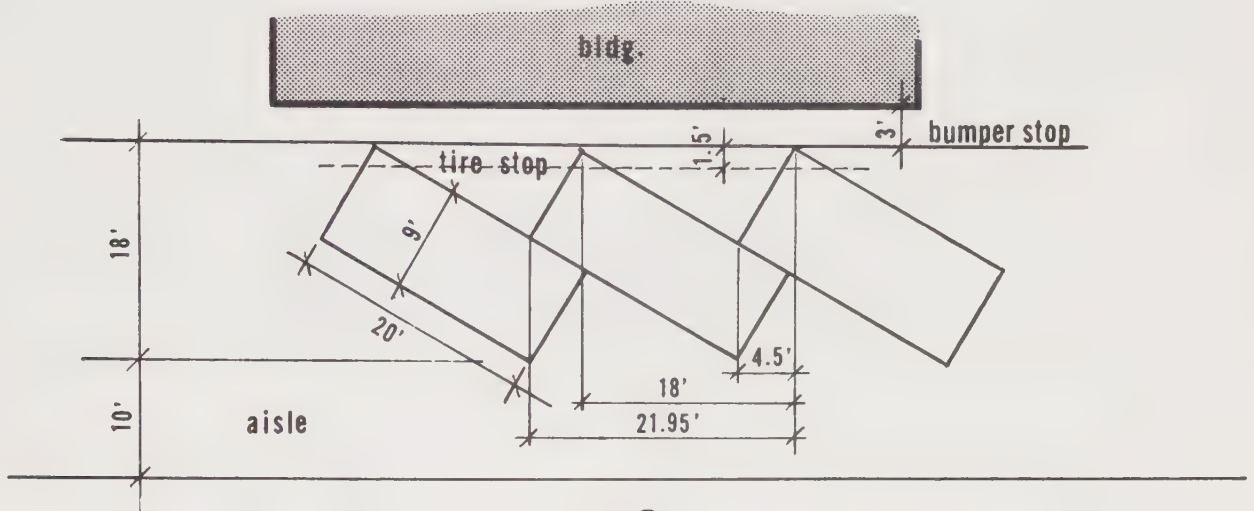
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APPENDIX B

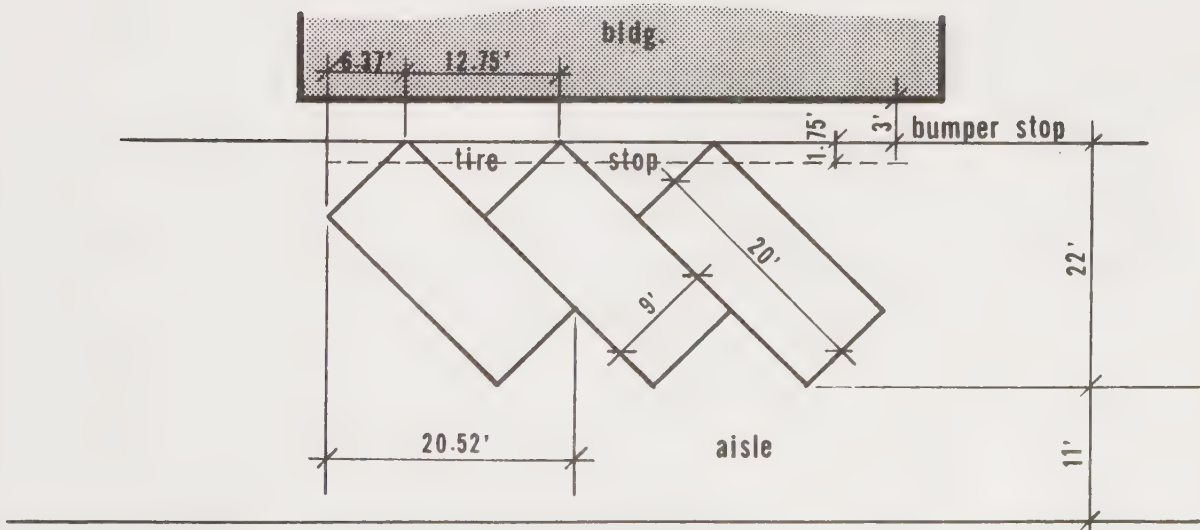
MINIMUM PARKING STANDARDS



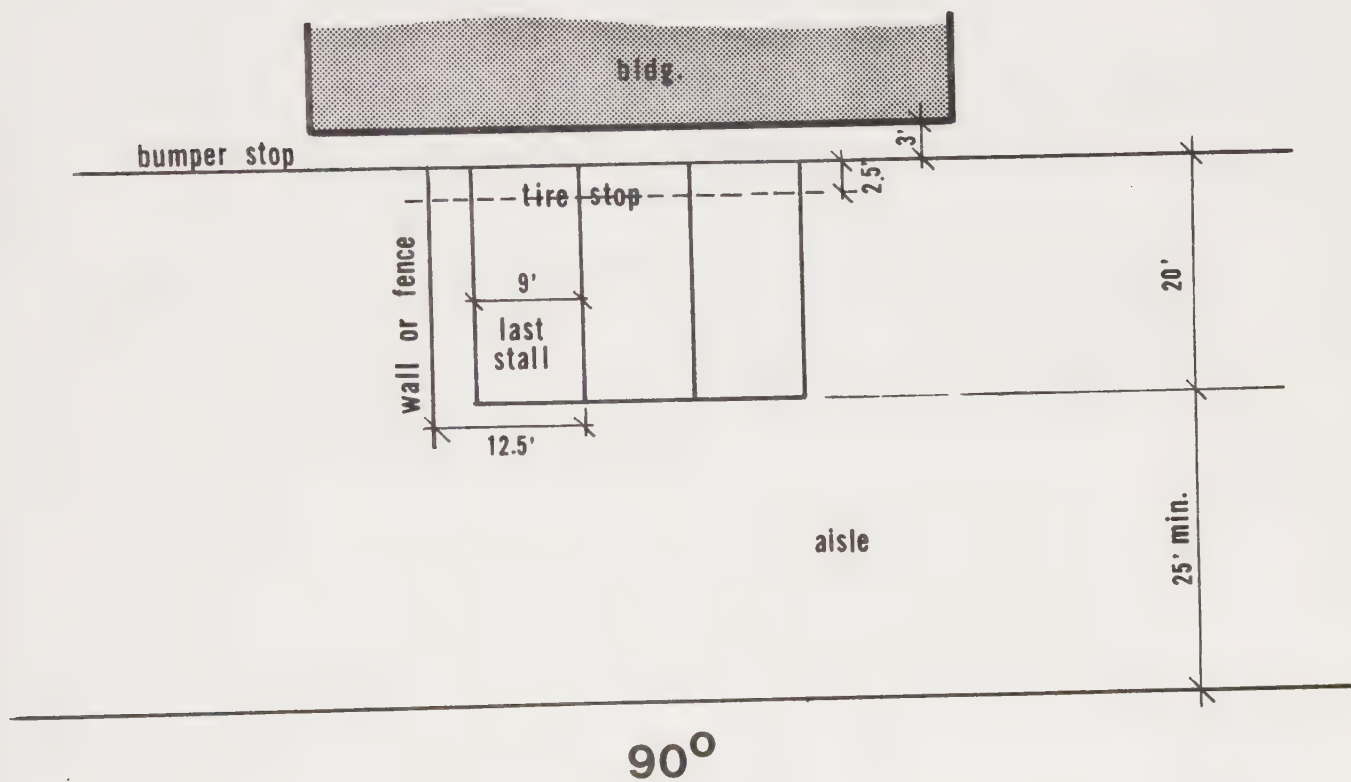
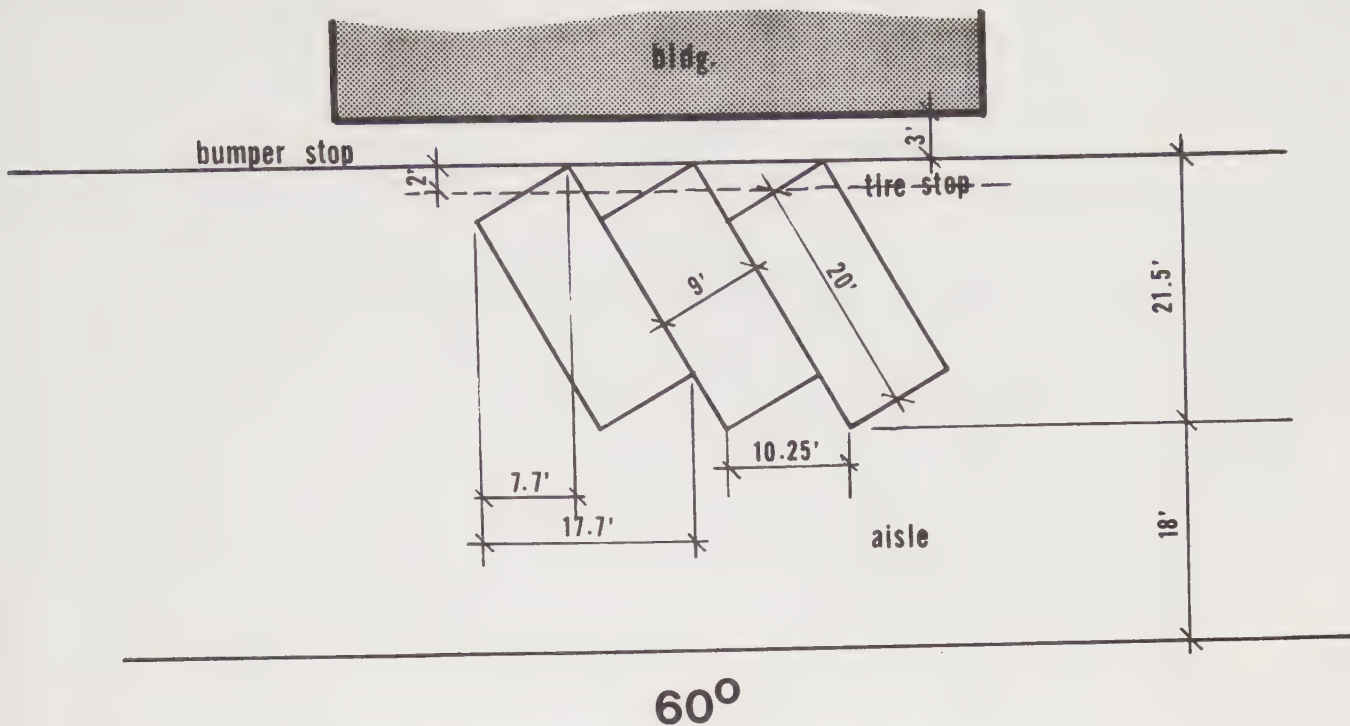
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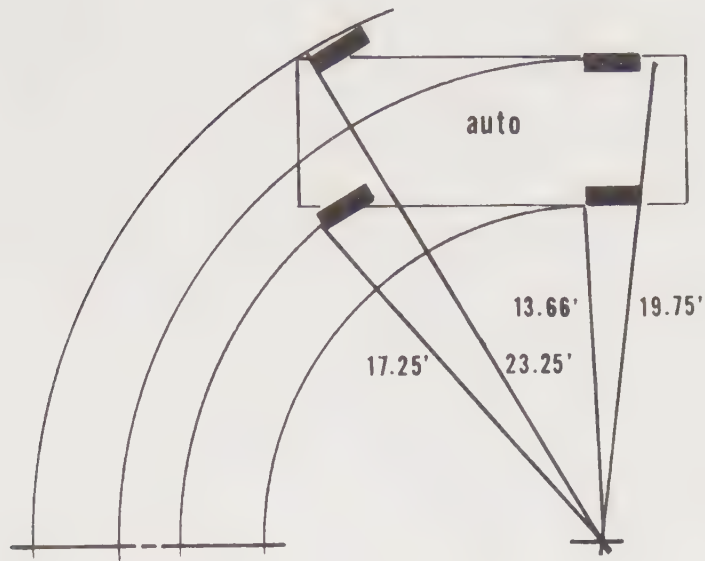
30°



45°



MINIMUM TURNING RADII



»» any parking space requiring more than two(2) maneuvers is not acceptable.

»» when two(2) maneuvers are necessary, arrows indicating the path of the automobile should be shown as well as the inside turning radius.

APPENDIX C

* varies by zone

refer :

R-1 11-134

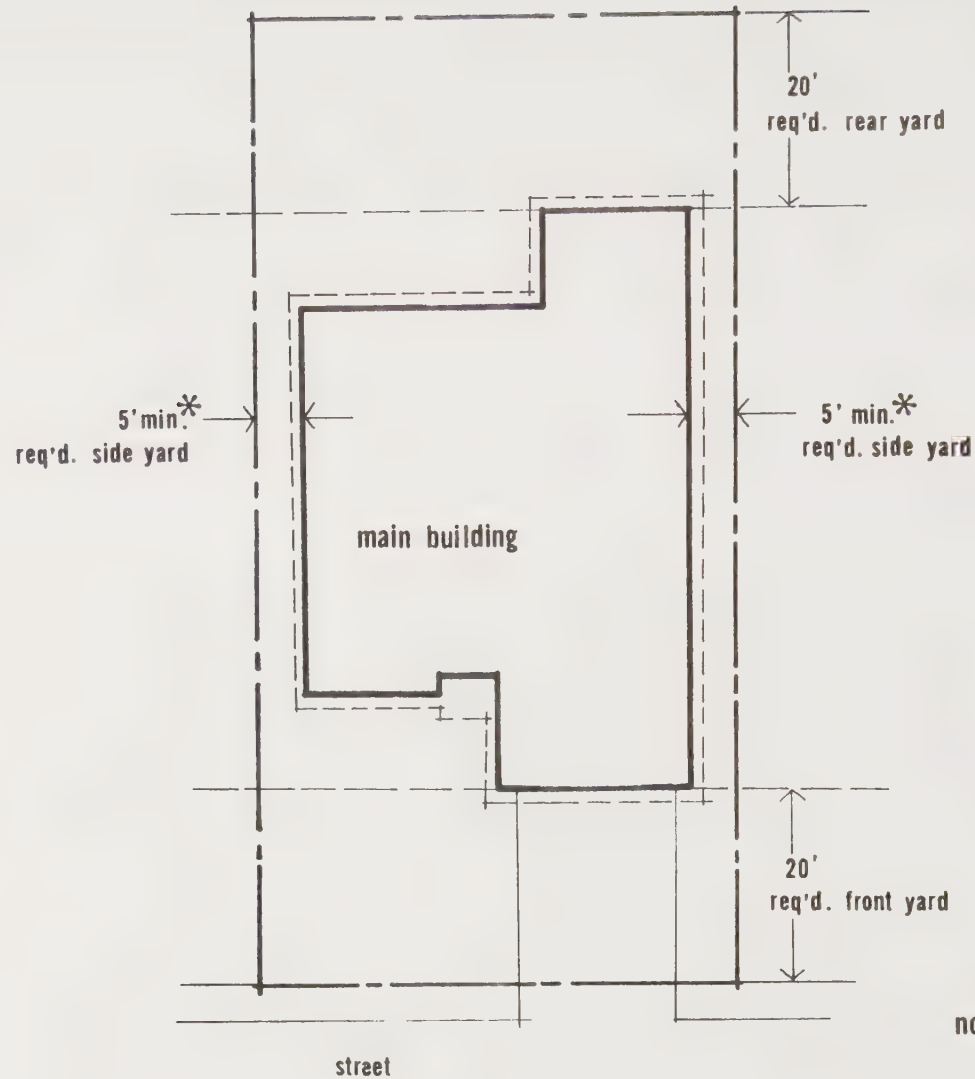
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R-4 11-1316

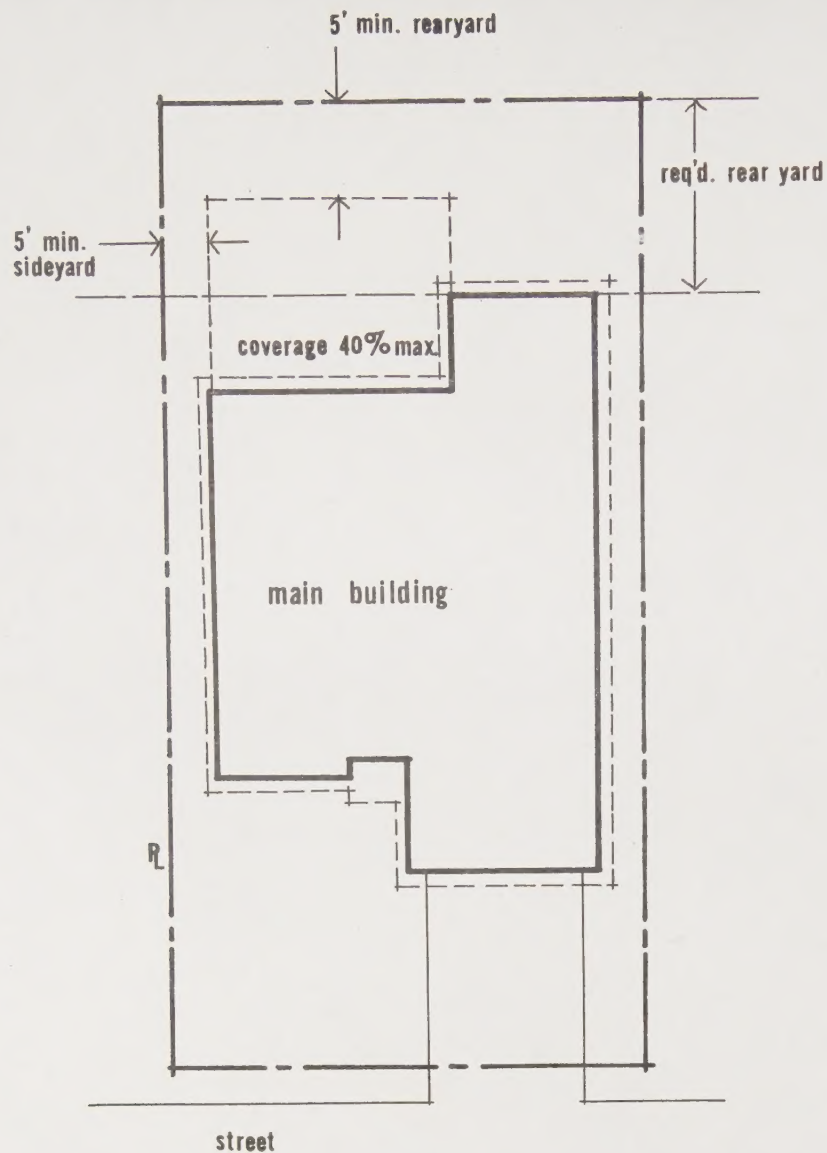
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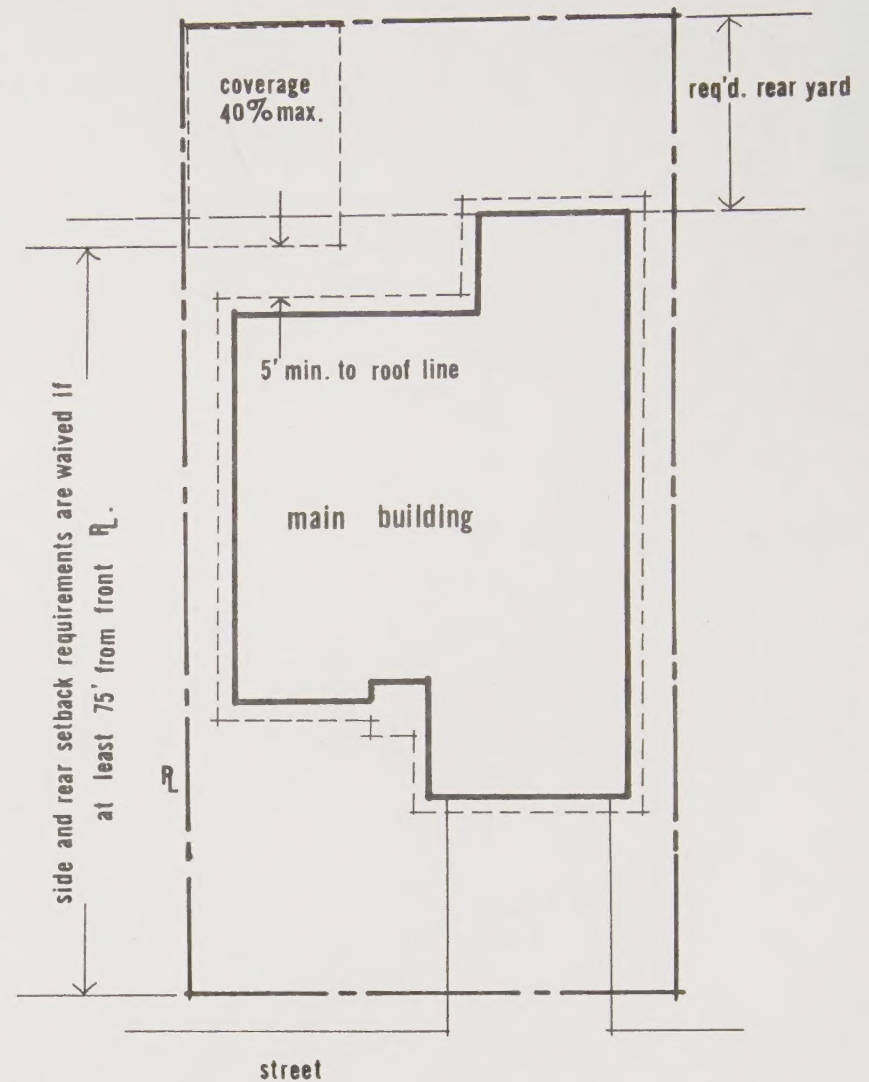


note: sketch applies to typical
50' X 100' lot .

TYPICAL YARD SETBACKS



ATTACHED STRUCTURE



DETACHED STRUCTURE

ACCESSORY BUILDINGS and PATIO COVERS

U.C. BERKELEY LIBRARIES



C124901250

